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**CONSERVATIVE GOVERNMENT POLICY**

**AND EXCLUSION FROM SCHOOL**

**1988 - 1996**

**Margaret Stirling**

**A thesis submitted for the degree of Ph.D at the University of Warwick,  
Institute of Education**

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## **Declaration**

Some of the data reported in Chapter Seven were published in Stirling (1994). Also some of the material included in Chapters Two, Three, Six and Seven was drawn on for Stirling (1996).

## Summary

This thesis is about the relationship between exclusions from school and market forces in education. Through a series of interviews with groups of practitioners, conducted in a city authority between 1988 and 1996, the research looks at the effect of Conservative Government policy which introduced market force mechanisms into education via a programme of legislative reform; it focuses on the significant relationship between Conservative education policy and changes in the number and nature of school exclusions.

The early chapters develop the theoretical argument which the research presents: establishing policy provenance, identifying themes dominant in policy discourse and describing the legislative mechanisms which carry policy. A short chapter drawing on broader based research, outlines the national picture. Chapter Five introduces the field research, stating the questions addressed by the thesis, explaining and justifying the research methods employed. The remaining chapters present and discuss the evidence. Drawing on the concerted 'voices' of front line practitioners the evidence shows what is happening to school exclusions. Respondents reveal attitudes that underpin decisions determining the exclusion process, showing which pupils are more likely to be excluded. Relating the evidence to the discursive themes developed in the early chapters the thesis seeks to understand why there has been an increase in exclusions from school with the implementation of Conservative policy.

The themes of 'standards' 'choice' and 'diversity' in education, run as strands throughout the thesis. Issues which, when considered in relation to the empirical research which reports on the practical experience of children and young people excluded from school, raise searching questions about the efficacy of policy in the concluding chapter. The research engages both theoretically and empirically with the debate on whether the equitable distribution of educational resources and accessing of opportunities should be primarily desert-based or needs-based. It considers the meaning of school exclusion as a process of marginalisation, showing how disempowerment is invested in the implementation of policy.

The thesis shows the standard of education this group of pupils have received and the extent of educational autonomy that these pupils and their parents have been able to exercise, - commenting on the efficacy of the policy of a Government that held power for eighteen years and developed a programme of radical reform that continues to have a profound effect upon all state educated children.

## **CHAPTER ONE**

### **INTRODUCTION**

#### **PUPIL EXCLUSION AND GOVERNMENT EDUCATION POLICY**

##### **1.1 The research focus**

During the 1980s and 1990s there was a marked increase in the use of the exclusion sanction by schools. In the period following the implementation of the Education Reform Act 1988, voluntary bodies, teachers unions and professional organisations began to voice concern that increasingly children were being excluded (ACE 1992, NUT 1992, SHA 1992, Association of Educational Psychologists 1992, Audit Commission and HMI 1992). In response to growing disquiet the Department for Education set up the National Exclusions Reporting System, NERS, which, despite experiencing problems in the collection of data from certain authorities confirmed an increase in exclusion nationally; the DfE brought out a consultation paper on the issue which engendered further debate ( DfE November 1992). This upward trend fuelled public criticism of schools in a period in which they were being increasingly held to account; Ofsted focused upon what schools should be doing better (Ofsted 1993). Yet despite persistent exhortation, local authority and DfE guidance and legislative changes (Education Act 1993), the number of pupils excluded from schools nationally continued to rise ( Ofsted 1997).

During the first half of the 1990s there was an on-going discourse on the declining standard of behaviour of the young (Beaumont 1996); which drew upon such cases as the Bulger murder trial, the stabbing of the Headteacher Philip Lawrence as well as trouble at schools like The Ridings in Calderdale. In the face of this critical debate, professionals working with troubled and troublesome children and young people were recognising greater emphasis upon inclusive education as constituting good practice. The provision that was being offered was changing, away from predominantly off-site provision to in-school support; despite sound initiatives in many authorities, such as that described here (Chapter Eight), the overall upward trend in exclusions continued.

The marked increase in exclusions came at a time of major educational reform, based upon Conservative ideology which predicated state education on market force mechanisms. Throughout their period in government the Conservatives introduced a series of Education Acts which had a significant effect upon schools' attitudes to discipline. The Education Act 1980, requiring schools publish examination results and initiating parental choice of school, was a precursor of things to come. The full impact of Conservative reform however was felt only after the Education Reform Act 1988, arguably the most radical piece of educational legislation this century, which required schools to follow a national curriculum and delegated financial management to schools themselves. On the introduction of ERA, concerns were expressed by academics in the field of education that these reforms were part of a broader agenda of social change in line with Conservative ideology which could adversely affect certain pupils (Chitty 1988, Jones 1989, Lawton 1989, Ball 1990, Brehony 1990, Flude and Hammer 1990).

In the period following the introduction of the 1988 Act, exclusion from school was governed by the conditions established in the Education (No 2) Act 1986, which allowed pupils to be excluded either permanently or indefinitely. The issues which practitioners in education as well as the above authors, had pointed to in the early days of reform ( Willey 1989, Stirling 1991, Peagam 1991), became duly evident with the passage of time. The evidence of a marked increase in school exclusions, reported by voluntary organisations, professional bodies and teachers' unions, as well as the host of individual cases which became the subject of often spectacular coverage in the tabloid press, - was irrefutable; as it was indeed being confirmed by the Department for Education's own survey (DfE 1995). In an attempt to curb the flow the Education Act 1993 removed the power of indefinite exclusion, replacing it with a fixed term, and guidance on Pupils with Problems was issued (DfE 1994a); the Education Act 1997 further tinkered with the legislative constraints on schools' power to exclude. However, all this has failed to check the seemingly inexorable rise in the numbers of pupils excluded from schools (The Children's Society 1998) [1].

The purpose of the research reported in this thesis is to understand the meaning of exclusion. The key questions addressed are as follows:

- *why has there been an increase in school exclusions?*
- *who is being excluded?*
- *how do these exclusions happen?*
- *what has this to do with changes in education?*

The thesis asks about the effect of Conservative Government policy upon school exclusions. Looking at the relationship between government policy and exclusions from schools, the empirical research reported in Chapters Five onwards, examines changing patterns of exclusion in a large metropolitan authority. The authority is used as a case study in which the effects of increasing exclusions are charted during a period of eight years, from 1988 to 1996. The changing practices within this LEA provide an illustration of the impact of government policy by recording changes as perceived by key professionals working with pupils excluded from schools; evidence is given of patterns of referral to separate provision, the quality of alternative education provided for those excluded and reintegration opportunities. The research considers schools' use of the disciplinary sanction of exclusion, as opposed to them following the special need procedures.

The research also asks:

- *what has happened as a result of changed LEA provision for pupils whose behaviour schools find difficult to manage?*

The effect of government policy upon local authority policy is examined, together with the consequent changes in the provision made for troublesome pupils. This authority was one of many which changed its model of provision for disaffected pupils from an off-site unit model to one which refocussed its resources to facilitate greater mainstream support. The research investigates the effect of the change on the nature of the client group the support service works with, the effect the change has had on the service's way of working: strategies employed, timetable and curriculum offered and reintegration.



Finally it considers the possibility of socially undesirable consequences of pupil exclusion, asking if there is a relationship between being excluded and becoming accommodated by the authority, (what used to be termed 'taken into care'); it also looks at the opportunities exclusion can offer for young people to be drawn into offending behaviour.

The data are drawn primarily from interviews with the Head and Referrals Officer of the Behaviour Support Service, Heads of all the centres, and Heads of selected mainstream and special schools within the authority, Children's Homes Unit Managers and Social Services Team Managers. Both Education Department support services and Social Services Education support referral records are drawn on, LEA statistics and other policy documentation are also used as supporting information.

The changing policies and practices relating to difficult or disaffected children and young people have occurred at a time in which the education system as a whole has been dominated by fundamental ideological and legislative change, it can therefore be argued that a meaningful analysis of factors affecting these pupils cannot be achieved without taking this into account. The means of doing this is to utilise the body of theorising and research which has developed during the past decade, referred to as critical policy study as exemplified by the work of Jones 1989, Ball 1990, Halpin and Troyna 1994, Gewirtz, Ball and Bowe 1995. The thesis applies a theoretical method of analysis drawing upon this body of research. Literature in this field focuses on the relative distribution of state power, and has important insights to offer about the marginalising effects of certain national policies. The thesis sites exclusion, which is a practical process of disempowerment, within the framework of a critical policy study.

The broader agenda to which this work responds was set by the Conservative government which during its period in office, particularly in the period after the Education Reform Act, promoted the view that educational reform based on free market principles would ensure improved education for *all* children (DfE 1992). As the composition of the excluded population is dependent upon decisions taken by schools, which are largely dependent upon schools' policies formulated in response to statutory requirements and Government education policy, the relationship between this group and educational policy is especially significant - hence the value of critical policy

research in this field. The thesis is *a study of marginalisation* inherent in policy, in this case in market forces in education, the dominant policy in the early to mid 1990's. The thesis asks whom mainstream education rejects, and why; looking at the excluded, those marginalised in this period of radical reform, can help inform us as to the equity of policy.

In order to properly understand the reasons for the dramatic increase in the of number children excluded from schools over the past ten years, it is necessary to understand the meaning of exclusion as it relates to Conservative government policy. The hallmark of Conservative policy has been the promise that there will be wider choice of a diversity of schools (DfE 1992). The thesis analyses the function and meaning of choice and diversity in relation to children excluded from schools. It argues that 'choice' serves both to legitimise policy and to regulate access to resources. In direct relation to the evidence presented by the research, the thesis asks if reform has resulted in greater choice for *all* pupils as was promised (ibid), or if owing to its effect on pupil exclusions it has restricted the choice of many. The research also looks at the quality of education afforded excluded pupils, and questions the assertion that reform has resulted in a better standard of education for all. The findings support the argument that quasi-market mechanisms have served to differentiate the education system in accord with Conservative values, which have a social class bias, and that this has consequently generated an increasingly marginalised pupil population.

In respect of the extent of marginalisation, the research does not argue this case on a numerical basis, - it would be correspondingly difficult to attempt to show increasingly *inclusive* education by counting the numbers of children considered to be 'included'. Although recognising that permanent exclusion figures can indicate a trend, the research explores the patterns and processes of exclusion in direct relation to implemented policy. It argues that exclusion is a process and not a state, - as for example is integration, as is partnership with parents, - and it is a process that is inextricably policy dependent. The establishment of the Social Exclusion Unit, the origins of which can be traced to a speech that the Prime Minister Tony Blair made in Southwark shortly after winning the general election on the 2nd June 1997, would seem a recognition of the broader effects of Conservative Policy [2].

Simon (1994) states that 'Education is about the empowerment of individuals' (p.3). Recognising this ideal, the thesis argues that the generation of an excluded population embodies disempowerment; exclusion being a process of progressive disempowerment. The study recognises pupils proved to be most at risk of exclusion as predominantly the socially disadvantaged, thus it raises social class issues and questions how far Government policy is reinforcing existing inequalities. In informing us about the way Government policy generates and identifies an educationally marginalised group such research could perhaps add to a broader understanding of the existence of marginalised sectors of the population.

## **1.2 The relationship between exclusion and Government policy.**

The research carried out for this thesis has two aspects. The first is the empirical study of the experience and perceptions of professionals involved in pupil exclusion. The second and equally important aspect is an analysis of Conservative Government policy based on scrutiny of the legislation itself and a review of political commentary on this as well as research evidence about its consequences. Various commentators have predicted the effect of market led policies upon the rate of exclusion (Heward and Lloyd-Smith 1990) and some incidental evidence has emerged from research on the implementation of the Education Reform Act (Gewirtz, Ball and Bowe 1995). None of these writers, however, have analysed policy specifically in relation to pupil exclusions. This study aims to show the relationship between Government policy and increased exclusions from school.

The first part of the thesis is structured to allow an understanding of the ideology underpinning Conservative policy, identifying key themes in political discourse and drawing on critical policy analysis (Ball 1990, Dale 1989, Jones 1989). The thesis then shows how these values are embedded in legislation and how statutory forces affect schools' decisions on exclusion. The thesis will directly relate Conservative Government values, which are invested in a legislative framework developed during their lengthy term in office, to increased school exclusions. Having established the critical basis of the study, the main part of the thesis provides evidence to show how and why schools exclude pupils.

## **i) Issues of power and choice.**

Understanding the meaning of exclusion involves some very complex and subtle issues to do with marginalisation and disempowerment. Therefore this chapter introduces at the outset these issues which provide a context for detailed explanation of Conservative policy and underlying ideology which are reviewed more fully in Chapters Two and Three. As the thesis is a critical policy study, on the effect of government reform on an excluded or disempowered group, it is important at this stage to consider the way in which state power is distributed. Education policy sociology recognises the centrality of the state in the education system. 'A focus on the state is not only necessary, but the most important component of any adequate understanding of education policy' (Dale 1992 p.388). Hatcher and Troyna (1994) observe that 'One of the most distinctive, some might say defining characteristics of the debate in 'education policy sociology' centres on the conceptions of the state in the formation and effects of policy' (p.156).

Althusser (1971) sees education as the key ideological state apparatus in the reproduction of the capitalist mode of production. Dale (1989) writes that 'schooling in capitalist societies is fundamentally about the reproduction of class structure without the reproduction of class consciousness' (p.ix). Ham and Hill (1984), while commenting on differing theories of the role of the state, recognise the similarity in social background of those running state institutions. Bourdieu (1977) argues that those with 'cultural capital' are able to maximise their advantage in the way education is structured within the state. Simon, an educational historian, considers that the English education system has created 'a closed system of schools' which is 'to the detriment of the well-being of the country as a whole' (Simon 1994 p.ix). Whilst Ham and Hill (op cit) identify common social characteristics amongst those holding power in state institutions, the research presented here finds, not surprisingly perhaps, common social characteristics amongst those at greatest risk of exclusion.

Simon (op cit) considers the forces primarily involved in determining the structure of English education are predominantly political and social rather than economic. He concludes that Gramsci's analysis, with regard to hegemony and the role of civic society, is central in understanding these developments. Gramsci recognises that education can be a site of struggle between classes with different objectives and that the struggle of subordinate

classes for hegemony may conflict with the role of 'established' culture. But what goes on at school level is not, according to Dale (1989), the result simply of imposition; rather, policy control in schools, which is clearly a necessary condition for the achievement of the purpose of Government education policy, is shaped by the strategic and tactical response of practitioners to practical problems confronting them. But as the research will show, the practical problems confronting schools are structured by a framework of Government established policy requirements, comprising societal expectations and statutory obligations, which whilst not directly determining schools' responses, largely condition public interpretation as well as the outcome of schools' actions.

The theory of pluralist democracy, as advanced by Dahl (1961) and Polsby (1963), does not maintain that power is distributed equally. Rather these writers argue that sources of power are unequally but widely distributed among individuals and groups within society (Polsby 1963). Vincent (1993) engages with the debate on the distribution of power and participation invested in our democratic society, arguing that the interests vested in the power holding group can constrain the scope of alternative interests held by less powerful factions. Bachrach and Baratz (1962), developed further the concept of 'the mobilisation of bias', (Schattschneider 1960) - the means by which power is used to control the political agenda, in order to advance the credibility of approved issues but to suppress representation of conflicting issues. They used the term '*non-decision making*' to describe ways in which alternative issues are kept off the political agenda. Bachrach and Baratz (1963) describe 'non-decision making' as 'the practice of limiting the scope of actual decision making to 'safe' issues by manipulating the dominant community values, myths, and political institutions and procedures' (p.632). Essentially, this is a means of suppressing issues which conflict with the established agenda, by excluding them, that is by denying them recognition, thereby ensuring they remain latent and fail to enter the political process [3].

Although the ideology of a socially democratic society presumes active citizen participation, political demands far from arising autonomously in the community, may be shaped by leaders who will have their own agenda. Dahl (1961) states that 'leaders do not merely *respond* to the preferences of constituents; leaders also *shape* preferences' (p.164). In a democracy the hegemony of the power holding class is sustained through the active consent of civil society. Consequently the political dialogue in which public consciousness is articulated, is a vehicle of power; societal response to Government is '*constructed*, not preordained' (Dale 1989 p.10). In a

democratic state active consent endorsing Government policy can only be achieved through public participation. Vincent (1993) points out that class, ethnicity and gender may be important in determining willingness (and arguably ability), to participate. The meaning of public participation has been radically re-defined by right wing ideology under-pinning Conservative Government policy. Citizens are designated the role of consumer, within a public service sector subject to competitive market forces. The justification for this policy is that it empowers the individual in terms of consumer choice; the policy subscribes to the belief that enabling 'purchaser' choice within a competitive market will force a rise in 'producer' quality. However, as the next chapter will discuss, consumer power is inextricably class related.

A policy can be sustained only if it is considered to hold a certain legitimacy; exclusion, as a disciplinary sanction is justified by the belief that those whose behaviour is unacceptable deserve being removed from the institution as a punishment. To recognise a marked increase in exclusions within the education system, could present a challenge to the legitimacy of education policy. The unwillingness of the Conservative Government and the local authority, to recognise the issue of increased exclusion during the research period, suggests 'non-decision making' (Bachrach and Baratz 1962). Hence response to exclusions has focused upon Pupils with Problems, rather than being considered primarily as a problem in education (DfE 1994c). Further, focusing on the child's difficulties legitimises the separation of these children from their more 'normally' behaved peers. Exclusions would seem to be a way of reducing challenge to established order in schools by actively removing, and thereby preventing the participation of those who fail to conform to approved modes of behaviour circumscribed by policy.

Recalling the ideal that in a participatory democracy, education plays a key role in empowering its citizens; the study examines the significance of a process of marginalisation in education, *a process which disempowers*. Whilst empowering those who conform with established order serves to perpetuate the existing power/social class hierarchy; disempowering those who fail to conform serves to restrict their influence and the risk of change they present to the status quo. Given that participation is an active process necessary in the relationship between civil and political life in democratic society, the thesis proposes that similarly *marginalisation is a necessary active process* and suggests state institutions are structured to reduce the participation, and hence the effect on the status quo, of non-conformist groups. Illustrating this thesis the research demonstrates the how children who fail to

conform are distanced from mainstream education, a move which can be justified by the need to limit the damage they could cause within the school.

### **1.3 Origins of Conservative policy**

The rest of this chapter traces the provenance of Conservative education policy; in so doing prevalent themes emerge, the significance of which will be considered in the following chapters which demonstrate how these ideas are embedded in a programme of legislative reform and the impact this has had on excluded pupils.

The field research contributing to this study was conducted between 1988 and 1996, the Conservative party having held office since 1979. By the 1980's the emergence of a radical New Right re-affirmed market forces as the dominant vehicle of political ideology. Neo-liberal and neo-conservative philosophers like Adam Smith and Edmund Burke have been recontextualised by contemporary conservative intellectuals like Roger Scruton (1980), redefining what it was to be a Conservative. Describing Margaret Thatcher as 'an orthodox Hayekian', Ball (1990 p.36) notes the influence of the Austrian economist, who advocates the superior and impartial rationality of the market (Hayek 1986). Towards the end of the 1980's a combination of educational legislation, of which the Education Reform Act of 1988 formed the centrepiece, ensured the operation of market forces in education. A development described by Brehony (1990), as the 'law of the market...which proved so inadequate in meeting the nation's needs in the nineteenth century that the state was compelled to step in and impose some kind of order on the chaos produced' (p.127).

The challenge to post war established educational order, mounted by the New Right, which has resulted in the introduction of market force mechanisms as a vehicle of educational control, is described by Ranson (1990) as developing in three phases (p.7). Firstly (1969 - 77), the publication of *The Black Papers*, which presented a view of a system in which standards had deteriorated as a consequence of comprehensive education. The second phase (1974 - 84), in which the concept of the 'parents charter' aligned educational standards with consumer choice; and initial legislation, the Education Act 1980, provided parents with information about schools and allowed them an

element of choice. The third phase (1984 - 88) culminated in the Education Reform Act, the significance of which is central to this thesis and will be covered in detail in later chapters. Ball (1990) notes that the Ruskin College speech made in 1976 by the Labour Prime Minister James Callaghan, seemed to recognise the criticisms presented in the Black Papers and fuelled the 'Great Debate' on education.

Levitas (1986) describes the Black Papers as portraying 'a mobilizing myth' of education in 'crisis' (p.8). The discourse links education with traditional social and political values; blaming falling educational standards for social and economic decline, mounting the first popular and effective critique of the post-war welfare state. The success which greeted the publication of the Black Papers was due largely to a growing broader mood of dissatisfaction and disillusionment with what was perceived as 'progressive' education. In 1975 the Conservative politician Rhodes Boyson, together with Brian Cox, became editor of the Black Papers. Boyson's book, Crisis in Education, published the same year, proposed an education system organised around parental choice and a curriculum that was nationally applicable. The last of The Black Papers published in 1977, reiterated the theme of the damage that had been done by progressive education, and proposed an alternative approach which furthered selection. They proposed national tests for children aged 7, 11 and 14; with the results of these tests being published to inform 'parental choice'. Hence schools that were achieving good results would flourish, whilst unsuccessful schools that few would wish to attend would close. This ideological approach developed from conferences organised by the National Council for Educational Standards and 'the Black Papers linked their critique of educational standards ..to free market ideas for restructuring education' (Jones 1989 p.43). Jones identifies this as a 'crucial juncture' for New Right ideology, a policy synthesis in which market forces 'drive' educational reform.

Ball (1990) comments on two particular texts, which illustrate neo-liberal and neo-conservative thinking: firstly, Stuart Sexton's 1987 pamphlet from the Institute of Economic Affairs, Our Schools - A Radical Policy; and secondly the Hillgate Group's 1987 pamphlet The Reform of British Education. The former, prepared for Sir Keith Joseph, was written in advance of the Education Reform Act. The Hillgate text picks up the theme of an earlier paper entitled Whose Schools?; the 'ownership' of schooling was to become a focal issue in the struggle for hegemony.



The ideas underpinning neo-liberal thinking hark back to laissez faire economics, Hayek's influence also being pertinent. Government controls in restricting market forces are discouraged, as these are perceived as distorting and inhibiting the effective working of the market. The market is perceived as being politically 'neutral', market effects as being unbiased, enabling those that choose stronger more effective practices to rise to prominence. Hence those that fail in the market are those that have made the wrong choices and have no one to blame but themselves. The key elements in neo-liberal discursive themes are individualism, a circumscribed concept of freedom, as in freedom of choice, and competition as a means of achieving quality. Notions which strongly counterpose consideration of equality: as the market is unprincipled inequalities are fair; indeed in terms of the effective working of market forces inequalities are necessary.

The essential tenets of neo-conservative ideology also draw on concepts of freedom and of quality. Here it is freedom as a nation, the emphasis being on national rather than individual freedom, arising out of a shared heritage, common culture and sense of identity. Family and nation, morality and law and order are values to be upheld. Invested in the notion of national values are the high standards that are embodied in cultural models to which we can aspire, (the top public schools are seen as examples of best practice for the maintained school sector); an ideology of cultural restorationism which interprets national culture as implicitly superior, placing consideration of multicultural values off the agenda.

It could be considered that there are essential contradictions inherent in these two ideological paradigms: the promotion of competitive market forces, unfettered by central Government controls; and the concept of a unifying, commonly valued national culture. The former, being a continuation of classical liberal thought, developed from Adam Smith, where what is good in society comes about through the free interaction of individuals, and the most efficient system is one which provides the greatest opportunity for the greatest number. The latter, whose heritage can be traced from Hobbes and from Burke, emphasises the importance of culture and tradition, cultural cohesion being essential to a strong state. Perhaps the secret of the success of Thatcherism lay in the dialectical synthesis achieved in fusing these apparently divergent ideological themes, harnessing market forces to drive a programme of cultural restoration. The alliance of seemingly disparate themes by the Thatcher Government gave Conservative

education policy its strength; being 'economically libertarian...but socially and morally authoritarian' (Whitty and Menter 1989 p.52). Hence the contradiction between anti-statism inherent in a free market ideology, and centralisation of cultural restorationism, achieved resolution in a policy which promoted a free economy and strong state.

Under the direction of the New Right, education has been reconstituted on a base of central state control: of curriculum, of assessment and of teachers; geared to approved cultural values and 'driven' by competitive market forces.

In the broader social context which fostered these policies during the mid to late 80's, a preoccupying concern of Government was recovery from recession. Consequently, the perceived need to compete effectively in an international market place, in order to sustain economic recovery, encouraged a Government policy dominated by market principles. Both private industry and state sector organisations are subject to the acid test of market force competition, those who are the most efficient would succeed. But the view that the degree of individual effort is the key to success, chooses to ignore the fundamental social structural inequalities in which competition is embedded. In terms of popular condensation symbols (Edelman 1964) the phrase that carries this discursive awareness is that it is not a 'level playing-field'. Grace (1984) points out that here is a fundamental contradiction between the imperatives of capital which require the priority of profit and the imperatives of social justice which require the priority of social need. As policy developed it was evident to those representing the interests of the needy that their lack of ability to compete would have adverse consequences (Weddell 1990).

The pre-eminent rationale for the introduction of business methods into schools, is that it empowers parents as consumers, giving them greater choice and ensuring higher standards. The role prescribed for parents within the present policy context, is that of consumer. A system of market exchange ensures that parents with the most 'cultural capital', are able to secure the best schooling. Marketisation of schools will be covered in detail in terms of the legislative vehicle which carries policy, in Chapter Three; however this process can be summarised as follows:

Since 1980 a series of legislative measures have encouraged parental choice of schools, consequently comparison between schools has fostered competition. The need for schools to deliver a publicly assessed national curriculum has provided parents with means of comparison. Open enrolment linked to per-capita funding has in effect reduced pupils to a unit commodity. Management of schools is subject to the rigours of profit and loss; schools that attract custom, i.e. parental popularity, prosper.

The dialectical tension evident in the resolution of apparently disparate ideological themes underpinning Conservative policy, is embodied in their programme of educational reform, of which the Education Reform Act forms the centrepiece. The neo-liberal tenet of parental choice is upheld, while the neo-conservative requirement of cultural cohesion is ensured by a national curriculum. Kenneth Baker, in his opening speech in the Second Reading Debate on the Education Reform Bill in the House of Commons December 1987, stated 'This Bill will create a new framework, which will raise standards, extend choice and produce a better-educated Britain' (Flude and Hammer 1990 p.vii).

In the language of the Citizen's Charter, entitlement is proclaimed more assertively as 'rights'. Our Children's Education. The Updated Parents' Charter 1994 declares: 'the right to information', 'the right to a school place', 'the right to an education which meets (special) needs', 'the right to a good education', and 'the right to influence how your child's school is run'; these extracts punctuate the document in bold print. In the Parent's Charter the Secretary of State for Education presents the Government as the standard bearer for education, featured prominently on the cover is the phrase 'raising the standard' DfE (1994a).

Akin to the concept of parental entitlement, empowerment and participation are discussed by Vincent, who explores 'the reality and the rhetoric of citizen participation' (1993 p.9). The government affirms 'Parents know best the needs of their children...' (DfE 1992 p.2) and the concept of a 'Citizen's Charter' prompts thoughts of inalienable constitutional rights, social justice and equality of entitlement. Vincent observes that the rise of the New Right within dominant political ideology had designated parents the role of consumer with access to power through the exercise of individual parental choice.

Evidence will be provided in this thesis to confirm the view that the extent of educational choice offered, given this role, is largely determined by social, economic and cultural factors, and can serve as much to perpetuate existing social advantage as to empower parents. Paradoxically, this thesis contends, the dominant ideology promoting market forces in education, has deprived many children of human rights, (taking these to include an entitlement to education); during the implementation of the ERA there have been growing sections of the parental population being increasingly disempowered, and growing numbers of children without education, or for whom the standard of education has seriously declined.

#### **1.4 Educational reform**

The Education Reform Act cannot be considered in isolation, but rather as part of a systematic programme of reform spanning a decade of legislative change; an educational reformation which has subjected the maintained sector to the twin disciplines of market selection and state control. Whilst the ERA is itself a composite, - comprising a National Curriculum, national testing, Local Management of Schools and opting out, it neatly achieves the combined objectives of ensuring consumer choice and central control. The centrepiece of conservative reform, the act embodies neo-liberal and neo-conservative ideologies; designed to improve standards through market selection, whilst ensuring schools deliver a curriculum of common cultural values.

By the mid nineties a hierarchical system of schooling was evident, fulfilling Conservative promises of a diversification of schools. However, as Jones (1989) predicted, what has developed is not a simple re-creation of the grammar school secondary modern divide, which proved so unpopular, but rather a complex, multi-levelled hierarchy involving a greater diffusion of privilege; which the thesis describes as a differentiation of provision. The thesis argues that Conservative educational reform has served to differentiate the education system by advantaging popular schools and by identifying as 'failing', other schools. The principle of the Hayekian market rests upon diversity (Hayek 1979). Choice is only real if there is a range of schools to choose from; any attempt to make all schools equal, to restore and or resource failing schools to the level of their competitors would confound the market. Clearly, if market forces fill some schools and close others real choice is circumscribed, in practice by the

degree of cultural capital held by parents. Schools admission policies are found to favour some children more than others; as there is a hierarchy of schools, so too is there a hierarchy of choice.

Ranson (1990) writes:

'...the market masks its social bias. It elides, but reproduces, the inequalities which consumers bring to the market place. Under the guise of neutrality, the institution of the market actively confirms and reinforces the pre-existing social order of wealth and privilege. The market is a crude mechanism of social selection. It can provide a more effective social engineering than anything we have previously witnessed in the post-war period.' (p.15)

Brehony (1990) too expresses the view that the New Right's ascendant position within the Tory party has resulted in the 'social engineering preoccupations', of what was once a marginal right-wing group, finding expression in the law of the land (p.111).

A nationally assessed curriculum is one of the most powerful centralising measures to affect state schools this century; testing 'drives' the process of educational differentiation introduced by the Education Reform Act. Reducing the complexity of schooling to information presented in league tables invites parents/consumers to compare schools and to favour accordingly. The market is thus being used as a disciplinary mechanism, rewarding successful schools and disciplining poor schools. The consequences for pupils caught in the downward spiral of an unpopular school will be considered later in this study. But of course a service is not a manufacturing industry as it involves a human 'product'; and children attending schools which are failing receive a failing education.

The way in which class-biased cultural aptitude determines the extent of parental choice of school is discussed in the next chapter. Even in the early days of reform it was recognised that 'choice' could prove disadvantageous to some. Perhaps having differing values and interests from those centrally approved constitutes 'the wrong choice'?

During the passage of the Education Reform Bill in the House of Commons, Norman Tebbit argued that:

'This Bill extends choice and responsibility. Some will choose badly or irresponsibly, but that cannot and must not be used as an excuse to deny choice and responsibility to the great majority.' (The Daily Telegraph 2 December 1987).

Whitty (1990) cites a field work interview October 1988:

'...a leading member of the neo-liberal tendency of the New Right had said openly at a meeting of heads recently that any market produces casualties and that the children left in 'sink' schools in the period before they went to the wall would unfortunately be amongst them.' Some people, 'make irresponsible choices and in this case children will presumably have to suffer for their parents' irresponsibility' (p.33).

A Social Services Advisory Teacher reported that when seeking to place permanently excluded children who had a history of repeated exclusion from primary school, she would often apply on behalf of the child to a particular school she knew was due to close in two years time, recognising that the least popular schools were the practical extent of choice for such a pupil.

With regard to 'a diversity of provision' promised in Conservative policy, both the Warnock Report (DES 1978) and the Fish Committee (ILEA 1985), emphasised the importance of seeing the aims of education as being substantially the same for all children. This view would seem to be endorsed by the provisions of a national curriculum considered to be appropriate for all children. This seems curiously at odds with the concept of a diversified system of education. Given a uniform curriculum it is difficult to see how schools could be significantly different in terms of type; in practice the parental 'choice' is exercised not between comparable schools of different nature, but between schools recognised as of different quality. Market forces ensure a mutually interactive selection process between parents and schools which is founded upon reputation.

As the Secretary of State for Education commented, with masterly ambiguity, on the launch of Choice and Diversity in 1992, 'there will be some schools that are suitable for certain pupils and there will be others that suit other pupils' [4]. Simon (1994) recalls the Kay-Shuttleworth quote, which was made in relation to the debate on mass education in the second half of the nineteenth century, 'For each class of society there is an appropriate education' (p.163). The Government has ensured that the public are able to gauge the reputation of a school, and that a mutual selection mechanism exists which facilitates a matching process between parent/child and school. The real and recognisable difference between schools is that of the standard of education afforded. There will be good schools, clearly appropriate for good children; correspondingly there will be less good schools, for...less good children? As there is a hierarchy of provision so too, the thesis proposes, there is a hierarchy of choice.

Jones (1989) sees the parental role as invested with no substantial influence in the education of children, rather, relegated to being a 'consumer', parents will be forced to compete against each other for their children's entry into the most highly favoured schools. For every parent who seizes the advantages of 'choice', the choice of others will

inevitably be restricted; the advantages of some will be won at the expense of others. Jones concludes that it is a policy which is reinforcing patterns of unequal opportunity; in market terms equality is unhelpful:

'The Government is creating an economy and a political system based on the principle of two nations. It thrives on the promotion of inequality' (Jones 1989 p.184).

From the Great Debate onwards schools have been criticised for their failure to provide an education that enables us to compete in an international market. The National Council for Educational Standards linked economic regeneration to improved educational standards. Keith Joseph's *Better Schools* 1985, begins with an account of national economic decline related to the standard of education in the face of international competition. Consequently education came to be seen as a significant aspect of economic performance supporting growing interventionist policies. Ball (1990) describes the progressive adoption of centralist control through the periods in office of the Secretaries of State for Education from Keith Joseph onwards. The predominant theme consistently is the need to raise standards. John Major's foreword to the Government's policy document, *Choice and Diversity* (1992) promises higher standards, Chapter Two affirming 'The overriding aim of Government policy is to raise the standards achieved in schools' (p.15). The Citizens' Charter assures parents of their entitlement to improved standards.

Inherent within the idea that, above all else, standards must be raised, is the beginning of the problem of increasing school exclusions. National assessment has become a yardstick against which standards can be measured and which schools can use to evaluate how individual pupils measure up. There will of course be those that 'fall below the mark', using these criteria; in any random selection of the population there will inevitably be those that fall below expected standard for their age, those that are in fact 'sub-standard'. In this way competitive national standards, introduced by market forces, pathologise those who under achieve in relation to their peers, who are often those at a social disadvantage. In the operation of market forces identifiable differences are an integral feature of competition. Consequently I consider the resulting disadvantaged group, identified as 'Pupils with Problems' (DFE 1994c), not as an inadvertent or unfortunate side effect of Conservative education policy, but as a necessary part of a competitive education system.

Both standards of attainment and standards of behaviour are a concern of Conservative policy. Choice and Diversity (DFE 1992 p.7) addresses the issue of 'Schools and a Moral Dimension', and a senior Whitehall source reported on the publication of Pupils with Problems, 'The idea that children can't be punished is no longer feasible', 'We can no longer afford to tolerate bad behaviour in schools' (Sunday Times 2.1. 94). This is consistent with the view expressed by John Major in January 1993 that 'We need to condemn a little more and understand a little less' [5]. In the case of behaviour schools are encouraged not to tolerate, it is important to remember that the sanction system exercised by schools allows for the child to be excluded. The Conservative Government's education policy has given schools the ideological rationale, the justification, to exclude difficult pupils; whilst educational legislation has given schools the means as well as offering the practical benefits in conforming to this policy (Lloyd-Smith 1993); thus an increase in children excluded from school has been policy generated.

The thesis will support the argument that Conservative educational reform has resulted in what could be described as a 'two nations' policy, where dependent upon class-biased cultural attributes, pupils can be advantaged, or as the research will show can be marginalised. In effecting a diversified system of schooling dependent upon 'suitability', market force mechanisms reinforce the disadvantage of those pupils and parents already socially disadvantaged, or those with 'cultural deficit'. Simon (1994) argues that 'if the main function of education is to operate to perpetuate, or exacerbate existing social (or class) differences, ...then its total effect must be inimical to the interests of the country as a whole' (p.81). Simon (op.cit) comments, in different ways, on the wastage of potential ability on a massive scale. Green (1994) sees the system that has come into being as 'synonymous with the most hierarchical, elitist and class differentiated system in the world' (p.80).

Jones (1989) states 'The Government is creating an economy and a political system based on the principle of two nations. It thrives on the promotion of inequality' (p.184). Chapter Three will show how Conservative Government policy is embodied in a carefully structured programme of interdependent legislative reform which Simon (1994) observes 'in the minds of (its) architects, deliberately aimed at accentuating social or class differences' ( p.76).



In conclusion the thesis proposes to consider Conservative educational reform as carrying through a process of educational differentiation designed to ensure existing social class differentials, exclusion being an inherent part of this process. Whilst we have what the Tory Government regarded as an improved higher tier, the CTC's the new grammar schools and the thriving GM schools (DFEE 1996), these have been won at a price; correspondingly we have the identified failing schools and Pupil Referral Units, what one respondent interviewed during the course of the research has described as a new 'lowerarchy'.

The next two chapters of the thesis develop the theoretical argument, introduced above; the empirical research presented in the main section of the study is then investigated in relation to this theoretical basis. The chapters are structured as follows:

This chapter has introduced the key issues that the research will address, the relationship between Conservative government policy and exclusions from schools. It has introduced concepts to do with the distribution of power within the state; the thesis will develop the argument that *exclusion is a process of disempowerment invested within a state institution*. In order to establish certain ideologies as characteristic of Conservative policy, the origins of this policy have been discussed. This chapter then indicated how these ideologies have been invested in a reforming policy which is the focus of the next two chapters.

**Chapter Two** considers the way in which political power is invested in discourse, focusing specifically on the discourse that has developed on *choice and diversity*. It discusses the meaning of choice in relation to exclusion, arguing that an understanding of how 'choice' regulates the market is necessary in order to understand increased exclusions from schools. This chapter also discusses whether access to limited educational resources is on a desert-led or a needs-led basis (Gewirtz, Ball and Bowe 1995); this is important as children excluded from school could clearly be considered not to be the 'deserving'. **Chapter Three** looks at the statutory mechanisms by which Conservative policy has been implemented, a series of Education Acts between 1988 and 1997, and discusses the ways in which SEN values could be considered to be in conflict with the ideological thrust of reform. **Chapter Four** reviews national research on exclusions from school which supports the assertion that exclusions have increased and that this increase is in some way connected with a quasi-market in education [6].

**Chapter Five** gives the natural history of the research project and explains the method of research in relation to the requirements of the focus. It states the key questions the research addresses and details how the data was collected. It also addresses the issue of bias in relation to the researcher's critical stance. Chapters Six, Seven and Eight present the findings, reporting on schools' response to changes in policy and provision, supporting the theoretical argument of a differentiated system that is structured to marginalise or exclude the non-conforming, by showing how and why schools exclude certain pupils.

**Chapter Six** describes the authority in which the research was conducted and the effect of Government criticism. It reports on schools response to changes in policy in respect of pupils who are difficult to teach. It presents reasons for increased school exclusions. **Chapter Seven** identifies those pupils most at risk of exclusion: children with special educational needs (particularly those with emotional and behavioural difficulties), children looked after by the Social Services department, and pupils from ethnic groups (particularly African-Caribbean boys). In looking at how these pupils are excluded it recognises factors specific to each of these groups, which in a market led system predispose them to exclusion. **Chapter Eight** describes changes in local authority provision in response to national developments, for pupils with behavioural difficulties. During the research period the authority moved from an off-site unit model to a focus on in-school support. It reports on the changes in working practice this brought and at the effect it had on its client group. **Chapter Nine** presents findings in respect of the undesirable consequences of exclusion, reporting on how and why children in local authority children's homes had been accommodated, the effect that this can have, and the significance of exclusion from school.

**Chapter Ten** discusses Conservative policy in terms of the promise made by the Conservative government to improve the standard of education for all children. It draws together the threads of argument which emerged from the research into Conservative Government policy and the insights and perceptions of key professionals engaged in the exclusion process. The chapter concludes by explaining the meaning of exclusion in the policy process.

## Footnotes

[1] No Lessons Learned published by The Children's Society in 1998 cites a 450 per cent rise in exclusions in the past seven years. 'The organisation has blamed league tables and inspections for the increase as schools try to improve their exam results and their public image by getting rid of unruly youngsters' Dorothy Lepkowska Times Educational Supplement 3.04.98.

[2] 'I've asked the unit to make truancy and exclusions a top priority ..' The Prime Minister launching the Social Exclusion Unit at Stockwell Park School, South London 8th December 1997.

[3] In order to illustrate how effectively an issue, despite causing public concern, can be kept off the policy agenda within an authority, I cite the following example.

On 16.8.93 (at my request) I met with the Assistant Education Director, in order to attempt to foster some interest in the research. Prior to this there had been persistent and often sensational tabloid coverage of increasing school exclusions within the authority. Although acknowledging the marked increase in exclusions, the Assistant Director pointed out that the authority had been singled out by the Government for particularly harsh criticism regarding the standard of education within the authority, but had never been criticised by the Government or the DfE for the numbers of children excluded from school. This he assured me was *'not an issue'*.

[4] The Times 29.7.92. Reporting John Patten 28.7.92 unveiling the white paper Choice and Diversity.

Secretary of State for Education, 28 July 1992.

Radio 4 News 9.00am, on the publication of Choice and Diversity: A New Framework for Schools.

[5] John Major 20.1.93 Party Political Broadcast (television). 'We seem to understand too much and condemn too little'.

John Major 21.1.93 Mail on Sunday, interview. 'We need to condemn a little more and understand a little less.'

[6] The term 'quasi-market' comes from Le Grande and Bartlett (1993), in 'quasi-markets' producers are encouraged to compete against one another and consumers are encouraged to express their preferences, but.. no money actually changes hands' (cited in Halpin and Troyna 1994 p.3) (also referred to by Hayden (1995)). Whilst recognising that the term 'quasi-market' more precisely describes the practical interpretation of market forces in education, as the thesis addresses discursive assertions made by policy makers in popular debate, their terminology 'market forces', or the 'education market', is generally used here.

**CHAPTER TWO**  
**THEORETICAL FRAMEWORK I**  
**POWER AND CHOICE**

**2.1 Policy discourse and power**

Central to understanding the meaning of exclusion, and the reason for the huge increase in exclusion over the past decade, is an understanding of market forces, particularly the way 'choice' operates in the education market, and the relationship between this and school exclusions. Whilst there is a body of critical policy research on parental participation in education (Gewirtz and Ozga 1990, Ball 1990, 1993, Vincent 1993, Armstrong 1997), there seems to be little research looking directly at those excluded. Participation can be viewed as a continuum, with marginalisation being a part. Perhaps the most significant analysis of the policy process is offered by Gewirtz, Ball and Bowe (1995), who in looking at the effect of market forces, discuss the concept of *equity* in access to educational resources. Although not a study of participation (rather than asking for example 'how much choice does education policy allow parents', it asks directly 'why are so many children excluded and what has this to do with education policy?'), the thesis draws on themes in respect of power, pluralism, participation and marginalisation, which are developed in relation to excluded pupils.

Most research on exclusions has focused on the micro factors, pupil behaviour and schools' responses to this behaviour, but this alone cannot explain the remarkable increase in exclusion that has occurred at a national level. In order to understand this it is necessary to examine macro factors and to understand the function of exclusion in relation to policy, as a process of disempowerment. 'Choice' operates as a control mechanism in empowering certain groups by facilitating access to resources, this has a correspondence with the exclusion process, which disempowers by debarring access to certain educational resources. Statutory power is structured to ensure 'choice', which functions as a selection/rejection control mechanism which is invested with class-biased values. The deployment of state power is commensurate with conformity to these centrality approved social class values, and competitive market mechanisms serve to exclude, to increase the marginalisation of those who fail to conform.

Whilst this analysis is proposed at a theoretical level, it can only be tested in direct relation to empirical research. Chapters Six to Nine (inclusive) of this study report the findings of a research project spanning the eight years after the Education Reform Act introduced quasi-market forces in education, and which asked what was the effect of government reforms on exclusion?

The first part of this chapter looks at the significance of discourse in the policy process and draws upon critical policy study literature, addressing key concepts. The chapter then looks at the way in which themes dominant in Conservative policy have been represented in discourse, particularly the representation of 'choice'. The chapter concludes by looking at competitive market forces and proposing an alternative reading of the effect of Conservative government reform, which the evidence presented in the following chapters of this thesis will support. The final chapter, explaining the meaning of exclusion in the policy process, questions the validity of the discursive themes introduced here and their moral justification. Ball (1994) describes his work as entailing critical policy analysis, 'which examine(s) the moral order of reform and the relationship of reform to existing patterns of social inequality' (p.2).

*'Power is invested in discourse'* Ball (1990 p.17).

Conservative government education policy is based upon specific ideological values which are carried through legislation, it is manifest in educational practice and in the established limits of pupil accommodation. Policy is articulated in discourse, it establishes practical priorities in a given field, and determines decisions that shape the (education) system so that it conforms with that ideologically desired by those in power. The vehicle that establishes the system is legislation, which implements Government policy, being structured to reward recognised values that are desirable in achieving the aim of maintaining a system approved by dominant ideologies. Correspondingly there are disincentives inherent in the legislative structure that discourage values inconsistent with prevailing ideological aims.

Ball observes how the predominance of certain socially approved values show the nature of central control and cites Prunty (1985) 'The authoritative allocation of values draws our attention to the centrality of power and control in the concept of policy' (1990 p.3). The ways in which approved values in accord with dominant Government ideologies, are rewarded and hence encouraged, demonstrate Government policy in operation. Ball explains the role of discourses in this: 'discursive practices produce, maintain or play out power relations' (ibid p.17). Central Government exercises and imposes control in part through the production of 'truth' and 'knowledge' about education. 'We do not speak a discourse, it speaks us' (Ball 1993 p.14). The significance of discourse derives from the work of Michel Foucault (1971); commenting on his work, Ball (1990) proposes that 'Knowledge and power are inseparable, that forms of power are imbued within knowledge, and that forms of knowledge are permeated by power relations' (p.17). In terms of integral power knowledge relations, evidence of discursive empowerment of approved sectors in education, and conversely of discursive disempowerment of disapproved sectors, is observable in practice by the way 'choice' is structured and affirms the direction of central policy. Policy discourses can achieve a public meaning which may be inconsistent with the practical effect of the policy for a significant part of the population, as with a finite number of school places, increased choice for some means decreased choice for others; in reality the issue is not greater choice for all, but more choice for those discourse recognises as 'deserving'.

This chapter identifies discourses dominant in Conservative education policy, which the empirical research contextualises and whose validity is questioned in the concluding chapter of the thesis. Significant discourses are often represented in such 'portmanteau phrases', such as 'Choice and Diversity'. Edelman informs us as to the way the language of discourse functions; '*condensation symbols*', (Edelman 1964), are words or phrases that 'condense' a set of emotions and whose use provokes those emotions. The key 'condensation symbols' in Conservative political discourse are *standards*, *choice* and *diversity*. This discourse can be summarised as follows: publication of information on schools will enable parents to choose between them, and as funding for schools will depend upon their pupil numbers schools will be prompted to improve their performance. The function of *choice* is presented as both improving the standard of education and empowering parents with greater participation in education. But rather than increased participation, there has been a nationally recognised increase in school

exclusion, a greater degree of marginalisation during the years of Conservative reform (Ofsted 1997, Children's Society 1998, Social Exclusion Unit 1998).

'*Empowerment*' is itself a key condensation symbol in political discourse. Murray Edelman, (1964, 1971) conceptualised policy discourse in terms of 'symbolic political language' and 'condensation symbols'. Summarising Edelman's argument, Troyna (1994) describes these as 'designed to create symbolic stereotypes and metaphors which reassure supporters that their interests have been considered ' (p.73). Condensation symbols fulfil a political purpose, reframing public perception of the aims and purposes of education, whilst mitigating or reinterpreting the concerns or anxieties of marginal groups. A seemingly reasonable framing of the discourse regarding those excluded from social power, (prisoners deprived of liberty, pupils excluded from school for 'bad behaviour'), is that they deserve their fate, indeed it is necessary to protect society from what has increasingly being seen as 'the dangerous classes' [1].

Whilst political discourse carries policy (as 'content'), the medium of political discourse is in itself invested with power. Ball (1990) observes that:

'(policy discourses) are pre-eminently statements about practice - the way things could or should be. ...Policies embody claims to speak with authority, they legitimate and initiate practices in the world... They are power/ knowledge configurations par excellence'. (p.22)

Central control of public discourse ensures the accreditation of approved values; and structures understanding or 'meaning' of policy. Class interests and power are revealed in the allocation of values implicit in dominant discourse; (whose interests are served, who benefits?). Values underpinning the allocation of resources are also evident in considering who *loses* in the reforming process. The research presented here will show that after 1988 certain children were more likely to be excluded.

Although control of discourse and of its possibilities of 'meaning' is contested in the public arena, certain voices carry more weight than others in the debate, and once a discursive theme is established the appropriation of its language in itself carries authority. Similarly certain language becomes discredited, (for example 'progressive education', 'child centred', possibly 'comprehensive' education). Professionals who traditionally employ language and concepts that have fallen out of favour find their voices diminished as policy values shift, for example Section

11 teachers and others for whom equal opportunities is a key issue. The way in which discourse disempowers is akin to what Foucault (1981) referred to as 'procedures of exclusion', i.e. the exclusion of an issue; issues can be excluded by the policy process, so can people.

Whilst discursive regimes serve to perpetuate power relations, to discredit them changes power structures. It could be argued that a developing awareness of marginalising effects in a market led public service sector contributed to the response of the electorate in the 1997 general election. Certainly the New Labour government immediately identified exclusion as a key issue to be tackled as it established the Social Exclusion Unit, which reported the following May that 'Truancy and exclusions have reached a crisis point' (SEU 1998 p.1). The White Paper Excellence in Schools (DfEE 1997a), as well as the Green Paper Excellence for All Children: Meeting Special Educational Needs (DfEE 1997b), which followed it, have developed *inclusion* as a key 'condensation symbol'. The basis upon which public services resources were distributed it would seem, was being reconsidered, with Education Action Zones being planned to target resources at needy areas.

Habermas (1975), developing a theme which draws on neo-Marxist ideology, considers the tension between the accumulation of capital and an equitable distribution of wealth. Given a multitude of priorities in terms of societal demands on the distribution of society's resources, there is an inherent tendency towards the erosion of public confidence in the way the Government meets its responsibilities. Consequently Governments are perpetually concerned with maintaining their own perceived legitimacy. 'Legitimacy means that there are good arguments for a political order's claim to be recognised as right and good' (Habermas 1979 quoted in Harland 1988 p.92). As Harland puts it, 'when Government fails to deliver the goods' (in health care, education, or whatever), 'both right and justice are queried' (ibid); in Habermas' terms, we have a '*legitimation crisis*'. The need for the state to discover new forms of legitimation is a central theme of the Habermas thesis; or in terms of the method of enquiry the present thesis employs, there is a need to construct a new legitimation discourse.

An essential legitimation factor in authorising democratic government control is citizen participation, which in the role of 'consumer', has been constructed as policy discourse; in order to control what Weiler refers to as the



'credibility problems of representation', and salvage the legitimization deficit of government. Having established a policy whose linchpin would seem to be participation, parental choice of a diversity of schools, - having arrogated participation, the Conservative government's policies and its right to enforce them were rescued from legitimization deficit. But as Harland (1988) observed, 'Participation is, of course, not necessarily all it seems' (p.98). Foucault (1981) states that while discourse can reinforce a power structure, it can also undermine and expose it and change the distribution of power.

## **2.2 The discourse 'Choice and Diversity'**

In Choice and Diversity (DfE 1992) the Prime Minister affirms 'the great themes of quality, diversity, parental choice, school autonomy and accountability' that run through the White Paper (DfE 1997a), which promises 'widening parental choice, and entrenching parental influence and control' (p.4). Self Government for Schools (DfE 1996) opens with a foreword by John Major similarly stating that recent Government reforms 'have been based on two key principles - that parents should have more choice in deciding the education they want for their children, and that schools should have more freedom to run their own affairs' (p.iii). This White Paper states

'Since 1979 one of the Government's main objectives has been to give parents more choice in deciding the education they want for their children, and to promote more diversity among schools as a means of broadening that choice' (p.36).

The Parent's Charter (DES1991 updated 1994) explicitly asserts parental rights: 'the right to know' about schools, the 'right to a school place' and choice of school, and the 'right to a good education'.

Bowe, Ball and Gewirtz (1994) have argued that much of the early research on improving standards and parental choice is 'captured by the discourse' of the market. A key argument put forward in favour of market forces in education, is that competitive forces not only improve standards, but are fairer or more 'equitable' (Gewirtz Ball and Bowe 1995). 'Equity' is contested within a 'desert-based' or 'needs-based' definition; the former argues that resources should be distributed according to merit, the latter that they should be allocated according to the level of need. Education policy during the Thatcher/Major era was characterised by a 'desert-based' conception of equity as a fundamental organising principle, structuring competitive access to a hierarchy of educational resources

dependent upon recognised merit. Although it is argued that market incentives raise standards, the cultural bias inherent in market mechanisms, which an examination of discourse and policy in practice reveals, refutes this assertion. Gewirtz, Ball and Bowe (1995) observe that Conservative welfare policies since 1979 seem aimed at reversing the needs based conception of equity inherent in the welfare state, by advantaging those sections of the population regarded as more 'respectable' and hence 'deserving' (p.10). The deployment of resources to reward the 'deserving' is a justified means of encouraging 'responsible' behaviour; those that are 'undeserving' will of course be disadvantaged, but in market ideology this is their choice, as they have failed to take the opportunity of improving their situation.

The neutrality or otherwise of the education market is a significant issue in relation to excluded pupils. Troubled and troublesome children would seem to be 'undeserving'; as are the feckless poor, single parent families and so on. The concept of 'undeserving' in practice justifies the distribution of scarce resources away from the most disadvantaged in society. A 'desert-based' concept of equity has underpinned legitimacy discourse during the research period; whilst not falling into the trap of assuming a needs based concept of equity, the research evaluates the efficacy of the existing distribution of resources. However it does argue from the stance that 'persons from different social groups should have equal access to the types of resources that they need to succeed educationally' (Levin 1990 p.268).

## **i Standards**

Choice and Diversity assures us that:

'The Government are determined that every child in this country should have the very best start in life. The drive for higher standards in schools has been a hallmark of the Government over the last decade' (p.iii).

Part of the construct of discourse is to invalidate opposing ideology, the motif of 'progressive education undermining standards' has been worked, in varying ways from the 70's onwards; what Ball has referred to as 'discourses of derision' (1990). The need for Better Schools (DES 1985) led to what has proved to be radical educational reform.

There was an embedded heritage to draw on in the case of standards; after the Revised Code of 1862 which introduced a system of payment by results, children had been grouped in 'standards' according to their performance in the three R's. When Better Schools stated 'The Government's central aim is to improve standards in schools', it was restoring or recreating past values. The discourse generated associated educational reform with historic traditional values and presented this as retrieving an academic and moral decline brought about by 'progressive education'. Comprehensive schools and progressive primaries were portrayed as opening the door to lower standards and indiscipline, bad behaviour and juvenile delinquency which spilled over into the street. A 'moral panic' was constructed (Cohen cited in Ball 1990 p.26). Writing on this theme in The Times (21 October 1974), Keith Joseph linked illiteracy, truancy, vandalism, hooliganism and delinquency, with the decline in educational standards; arguing 'poisons filter down .... if equality in education is sought at the expense of quality'.

The theme of the quest for equality in education having produced a decline in standards, was woven into New Right educational discourse by influential right wing thinkers like Roger Scruton (1980, 1986). Progressivism, by insisting on equal schooling for all children, had sacrificed quality for equality. In reconstructive discourse the market would redress this, linking quality to choice, the direct financial relationship between provider and consumer would ensure improved standards.

Lawlor, in a series of pamphlets published by The Centre for Policy Studies (1987-8), condemned the idea that there should be no absolute standards, standards she affirmed, must be publicly defined. In terms of English for example, the twin heritage of the literary canon and Standard English were to be upheld. Jones (1989) points out 'As always with the New Right, highly partisan and selective judgements about meaning and value pose as eternal absolutes' (p.68). For example, the New Right educationalists' critique of dialect, as inferior to Standard English, fails to recognise that Standard English is itself a class dialect. Jones (ibid) suggests that presenting the achievements of the dominant class culture as a canon, effectively excludes great numbers of students, who cannot or do not aspire to that class, from being recognised as achieving .

Kenneth Baker, commenting on the Education Reform Bill, at the North of England Conference in 1987, said that 'it is part of the search for educational excellence. It is about quality and standards' (cited in Deem 1990 p.158). In

1986 Baker was vociferous in the repudiation of the comprehensive system saying that it was 'seriously flawed' and that only a centrally imposed national curriculum, could improve overall standards (ITV Weekend World Dec. 1986). In order to ensure raised standards, rigorous national assessment, testing at intervals in pupils' school careers, was required. Whilst serving to ensure teacher accountability, test data would also serve to provide parents with information in their choice of school. Lawton (1988) notes that whereas the professional (teachers) approach to learning is based on individual differences, the increasingly bureaucratic approach is associated with bench-marks, norm related criteria and judgements based on the performance expectations for a statistically-normal child.

Lawton affirms that 'age-related testing makes it very difficult to avoid normative procedures, norm-related criteria, and judgements based on the expectations of how a statistically-normal child should perform' (TES 1.5.87); we are identifying large sections of the school population as sub-standard, or 'failures', by testing on a curriculum which is culturally weighted. National assessment decontextualises disadvantage so that 'failure' is solely an individual responsibility. Concerns of the dangers in labelling children as failures through early assessment, were expressed by the Task Group on Assessment and Testing (DES 1988). In an educational climate that prioritises standards above all, those unable to achieve high standards in relation to their peers are correspondingly less valued.

Self-Government for Schools (DfEE 1996) begins with the statement that Government reforms have been introduced to raise standards in schools.

'But there is a lot more that needs to be done to raise standards. The measures in this White Paper will make a powerful contribution to achieving a better match between what schools offer and what parents want - which is a good education suited to their children's individual abilities, interests and needs' (P.iii).

The White Paper (DfEE 1996a), states the Conservative Government's intention to give schools 'the power to select pupils by ability or aptitude'. In respect of selecting pupils by ability it is worth remembering that Ofsted's Recent Research on the Achievements of Ethnic Minority Pupils (1996) shows that achievement is strongly social class related.

'When information on pupils' social class background is collected, there is usually a direct relationship with academic achievement; the higher the social class, the higher the achievement'.

'Social class is strongly associated with achievement regardless of gender and ethnic background: *whatever the pupils' gender or ethnic origin*, those from the higher social class backgrounds do better on average' (pp.16, 17 italics in original).

Selection on the grounds of ability perpetuates social class divisions; focusing resources primarily upon the 'deserving' denies equality of educational opportunity and wastes the potential of a large sector of the school population. As achievement is class related, so the thesis recognises, exclusion is social class related; and there is a correspondency between the selection of those deemed deserving of additional resources, i.e. the process of selection, and those deemed undeserving or to have forfeited a mainstream place, i.e. a process of de-selection. In the context of a policy that reproduces social class, selection and exclusion are inter-related.

The underlying premise of a market policy improving the standard of schools, is that the survival of schools 'should depend upon their ability to satisfy their customers.' (The Hillgate Group in Ranson 1990 p.9). The market analogy is not as simple as it would seem; as Bowe, Ball and Gewirtz (1994) found, the activities of schools are not dominated by a concern to respond to parental choice. They observe that in all markets the extent of consumer choice is fundamentally class dependent, 'consumption is the central characteristic of class' (ibid p.44). In reality many parents are not so much 'buying' the school, as marketing the child; hence a crucial (and undesirable) consequence of this process is the commodification of the child (Blyth and Milner 1996, Lloyd-Bennett 1993).

Self-Government for Schools (DfEE 1996) shows the Government's hand, in promoting the selection of pupils by schools. Schools and also parents judge the child, and engage in a 'matching' process. Parents are encouraged to secure the 'best' school that will accept them, given the established 'standard' of their child; in reality 'choice', or school/child matching proves to be primarily a process of confirmation of class status (Bowe, Ball and Gewirtz 1994). The thesis argues that de-selection or exclusion, similarly, is largely a process of social class confirmation.

The models of good practice in terms of the standard of schools, are the public schools and the state Grammar Schools. Proposing more state Grammar schools, Self-Government for Schools (DfEE 1996) asserts 'The independent sector continues to flourish, containing some of the finest schools in the country' (p.36). The models

to aspire to are inescapably class based. It has become increasingly apparent that the result of market forces in education is a socially stratified system which allows for little social mobility and in which the standard of education afforded is correspondingly differentiated. Ofsted finds that 'social class is strongly associated with pupil progress' and that 'there is a significant and increasing gap between the performance of pupils from different social class backgrounds' (Ofsted 1996 p. 3 and p.40).

Choice and Diversity (DfE 1992) can be challenged on two prominent issues: firstly the degree of citizen participation allowed by the implementation of a market led policy, and secondly the extent to which the standard of education has risen for *all* children, (taking that should it be shown that some groups have been disadvantaged by a market led policy, it cannot have improved the standard of education for all). Equal opportunities could be considered to be a concern, but Ofsted (1996) comments that issues of equal opportunities have slipped from the policy agenda. The idea that equality and quality education are incompatible, underpins Conservative ideology, featuring explicitly in discursive repudiation of comprehensive education [2]. Jones (1989) criticises the 'anti-democratic nature of the Conservative programme, and its fervent commitment to inequality' (p.100).

## ii Choice

Whilst the discourse on standards can rework a traditional educational heritage; the discourse on choice in an education 'market', although drawing on neo-liberal laissez-faire economics, presents a radical new application of this ideology. This development can only be fully understood in the context of government policy as a whole as promulgated over the past decade, and in relation to New Right attitudes to the needs-based accessing of resources invested in the welfare state. Choice is the key feature in Conservative discourse, in that it jointly ensures policy legitimisation and confirms social class order. The ideology of consumer sovereignty and entrepreneurial competition ensuring improved education, provides a neat solution to legitimisation deficit thus it retains hegemony, whilst achieving an education system structured in accord with Conservative values (Habermas 1975).

Individualism, freedom and *inequality* are dominant values inherited from the prevailing political ideology of nineteenth century Britain, and have been reworked in a twentieth century context by right wing thinkers such as Hayek (1973) and Friedman (1962). The virtue of practical inequality is that it supports social differentials which

reward individual endeavour; but socially structured differences in the extent of choice individuals can deploy are glossed over in the rhetoric of Government policy texts which seem pitched at 'responsible' socially aspiring parents. Hayek (1986) stated that the fact that opportunities open to the poor in a competitive society are far more restricted than those open to the rich does not negate the fact that choice is available to all. 'Parents remain free to choose between state and private education' (Choice and Diversity 1992 p.1). It is a form of choice that celebrates property power rather than person rights; and despite claims of the neutrality of the market, draws in a moral argument.

In the market idiom the role of the parent is that of consumer. Questioning the power of 'the consumer' over the producer, Deem (1990) asks pertinently 'which consumers?'. Although the DfE could assert that 'Parents know best' (DfE 1992 p.2), the 'parent' is circumscribed according to a quite specific model; if this model is not made explicit, it is presumed, in Conservative policy. Those that make 'poor choices' are 'irresponsible parents' (Tebbit 2.12.87 Daily Telegraph); so while good parents fulfil their responsibility, those who do not or cannot are (conveniently) to blame. Vincent (1993) probes the concept of the 'irresponsible parent' finding, not surprisingly, that these 'irresponsible parents are apparently working class and poor, as they live in 'our inner cities or large housing estates' (p.40). Choice and Diversity (DfE 1992) points to the problem of schools failing to pass on the 'moral codes and values' which they and the community hold dear, this can be because of 'indifferent parents', who often live in 'large housing estates' in the 'inner city' (p.6).

This understanding of the irresponsible parent is illustrated by the stance taken by the Headmaster of the Queen Elizabeth School in Barnet in a television programme which looked at exclusion and social class issues.

'The school is distinctive so that when parents make a choice there is a very genuine choice to be made. We advise them very strongly not to choose the school if it is at variance with their *values* and their *lifestyle*' (emphasis in original) [3].

Selection is directly encouraged in Self-Government for Schools (DfEE 1996): which proposed to give Grant Maintained schools the power to select up to 50% of their pupils...LEA technology colleges up to 30%...other LEA schools up to 20%. Clearly schools differ in how selective they need to be, 'in a way which reflects their different circumstances' (ibid p.7). The real meaning of choice perhaps shows a little in the statement that

'Children have different abilities, aptitudes, interests and needs. These cannot be all fully met by a single type of school..The Government wants parents to be able to choose from a range of good schools of different types, matching what they want for their child with what a school offers' (DfEE 1996 p.2).

Given the long held tenet that the aims of education are the same for all children, as put forward by the Warnock and Fish reports (DES 1978, ILEA 1985), and given too a national curriculum which ensures that not only the aim but the content of education is standard, what differences can we be referring to in choosing a school if not cultural or social differentiation? Discussing legislation intended to develop choice, Stillman (1990) notes 'there was never any intention for (legislation) to offer choice between *like* schools' (p.89). Self-Government for Schools (DfEE 1996) assures a 'better *match* between what schools offer and what parents want - which is a good education *suited* to their children's individual abilities, interests and needs.' (p.iii added italics). Recognising cultural differences between children would be fine if these were regarded as of intrinsically equal worth; but the values and standards implicit within a national curriculum recognise qualitative differences between cultures, and against this benchmark schools can be evaluated as of different quality. With children regarded almost as fixed quantities to be sorted, rather than potential to be developed, the process of 'matching' child to school seems largely a form of class confirmation.

Many schools now ask for application forms to be completed by parents requesting a school place, forms requiring such information as address, father's occupation and sometimes what amounts to an essay on reasons for choosing the school; a decision is then made making use of this information. However a home-school contract to be signed on admission can stipulate that parents agree to ensure attendance, punctuality, full school uniform and a host of other obligations (Ball 1994). Clearly this is the exercising of school power as much as parental choice.

Ball (1994 p.140) also draws attention to the means of upward mobility available to schools, a process I have described as schools 'shaping' the nature of their pupil population in two ways (Stirling 1993a). In order to improve its position in the market a school needs firstly to recruit more academically able students, and secondly to exclude students who will disadvantage the school, either by blocking admission or by official or unofficial expulsion. This is essentially a process of selection/ de-selection; understanding who is selected and who is excluded enables an understanding of policy.



Gewirtz, Ball and Bowe (1995) look at the mechanism of choice in maintaining and reinforcing social class divisions and inequalities, finding that 'class selection is revalorized by the market' (p.23). Drawing on Bourdieu's (1986) work their research explores the cultural economy of choice, the mechanism of choice they find to be class biased, with outcome related to the cultural resources deployed; thus 'choice' seems more the confirmation of privilege than a social opportunity.

'In Bourdieuan terms the dominant class possess the necessary cultural code for decoding the cultural arbitrary of the market. Here we can see the actual realisation of social advantage through effective activation of cultural resources' (Gewirtz, Ball and Bowe 1995 p.183).

The responsible consumer is one that is informed, as it is the parents duty to choose the best education for their child; the 'publication of performance tables and independent inspection reports has helped parents exercise real choice' (DfEE 1996 p.iii). Choice is shown as a process of child/school matching, using culturally embedded skills to decode or understand schools. Gewirtz, Ball and Bowe (1995 p.38) show how choice is informed by class thinking, and the process by which parents identify with certain schools, concluding that 'Consumption is an act of deciphering' (Bourdieu 1986 p.2). This is not to say that certain class groups possess more social skills than others, rather that the necessary skills are the ones possessed predominantly by middle class parents, the cultural capital of the lesser skilled choosers is in 'wrong currency' (Gewirtz, Ball and Bowe 1995 p.40). As in all commodity markets those with the most capital are able to secure advantage. Gewirtz, Ball and Bowe (ibid) note the invisibility of class informed choosing, citing Bourdieu (1986 p.466), attitudes to social class may 'function below the level of consciousness and language'. Significantly, in terms of the excluded, schools are quite skilled in recognising socially undesirable applicants.

Ironically market ideology presents 'choice' as fair because it is 'classless', (the market is unprincipled); but choice is in fact the key mechanism of control in supply and demand (Lawton and Chitty 1988 P.16). Gewirtz, Ball and Bowe (1995) find that 'choice systems discriminate against working-class families' (p.20); the present thesis considers marginalisation not as an unfortunate consequence, but as an inherent part of policy.

Gewirtz Ball and Bowe (1995) conclude that 'choice emerges as a major new factor in maintaining and indeed reinforcing social-class divisions and inequalities' (p.23); choice is a mechanism of social selection. The research presented here will show the extent of real choice, indeed the extent of education available to excluded children,

particularly to those known to the Social Services Department. Confronted with reality it is difficult not to concur with Dale (1989) Ranson (1990) Brehony (1990) and Simon (1994), who have variously described the education market as an effective means of social engineering.

### **iii Diversity**

In order to exercise choice it was argued, there needs to be a range of schools to choose from.

'Children have different abilities, aptitudes, interests and needs... The Government wants parents to be able to choose from a range of good schools of different types, matching what they want for their child with what a school offers' (DfEE 1996 p.2).

In expanding diversity the Conservative Government encouraged the establishment of new grammar schools and increased selection for other schools. The White Paper proposed that the degree of selection schools should be able to employ would vary in an explicitly structured way reflecting (schools) 'different circumstances' (DfEE 1996 p.7). The grant maintained schools would need to exercise more choice, the other LEA schools less; here again we see planned levels of empowerment. We were assured that with assisted places, new grammar schools, and more GM schools, diversity would be increased. Of course we had too the newly designated Pupil Referral Units which are not mentioned in the above White Paper, for those who choose education which can be part time and offer limited examination opportunity.

The White Paper proposed with baffling logic to 'introduce selection as a means of adding to the diversity of local schooling' (DfEE 1996 p.3). Would parents be convinced that enabling schools to approve or to turn down applications for places would give them more choice? As opposed to the pluralist concept of 'parity of esteem' (Lawton and Chitty 1988 p.17), what has developed is a schooling system of differentiated esteem; which has been justified by aptitude and ability, by limited ability, and by the bad behaviour of different children. An education system which is the outcome of mechanisms for the distribution of resources underpinned by a desert based market ideology [4].

### 2.3 Conclusion: Competition

Whilst it is fashionable to refer to 'market forces', in essence this is competition. Maw (1988) describes the New Right influence on Conservative policy as a belief in 'efficiency through competition (the operation of the 'market'), privatisation, differentiation and ultimately selection' (p.61). In the plans for selection in the 1997 Education Bill, (which followed the 1996 White Paper (DfEE 1996)), the meaning is increasingly explicit, that 'competition generate(s) efficiency' (O'Keefe cited in Maw 1988 p.62). Underpinned by the justification, presented discursively as 'shifting power to parents' 'raising standards' and 'suitable schools for those with ability', values have drifted from 'equality of access' to 'the best for the most able'. Commenting on Conservative policy Brehony (1990) expressed concerns that

'without a political upheaval of seismic proportions there appears to be no obstacle to its plans to divide the state education system into two parts. One part of the divided system will provide a basic education for the disadvantaged and the other, a wide and well resourced experience for the few' (p.128).

Vincent (1993) points out presenting competitive forces as neutral or impartial denies socially dependent inequalities that condition participation.

A School's response to market forces is not fixed; having relative autonomy this is dependent upon internal school management values but also upon local market factors. However with new grammar schools and city technology colleges springing up, schools are advised to look to protecting their market share. In market terms this is the incentive to raise standards.

Given finite numbers of pupils which carry the resources, schools which attract a larger share of the pupils and so prosper under LMS can do so only at the expense of other schools. Competition is to do with being better than your competitor, those that do consistently less well in comparison with other schools will be recognised as 'failing'. A school locked into a cycle of unpopularity has limited choice in admissions and may be obliged to accept pupils excluded from other schools, which can place a disproportionate strain on the school's support resources and further threaten its popularity, (evidence of this will be provided later in the thesis). The competitive market is a polarising dynamic, expanding the nature of provision across the spectrum, thus ensuring 'diversity'. This is a process which drives schools to become identified as failures as well as successes. The market is not

simply about improving standards across the board, it throws up or produces 'failing' schools. Schools survival responses, improving their presented image to make themselves more competitive, often entails rejecting pupils who adversely affect their market performance; so greater competition and increased school exclusions are linked.

The fact that schools have the autonomy to respond differently to market forces is not to deny the powerful effect of market force mechanisms. As Ball (1994) observed 'Integrity is conditional', for schools 'the market won't go away, competition must be taken seriously'; as one of his respondents pointed out 'your marketing isn't just what's happening in your own school, it's what's happening in other schools' (p.134). Self-Government for Schools (DfEE 1996) whilst stating in the foreword that it was 'giving all schools more power to select pupils by ability or aptitude', did not propose the sharing of this power equally, but structured an unequal (hierarchical) distribution which was dependent upon school 'circumstances' (p.7).

Market force mechanisms perform a sorting function, to ensure a 'quality' match between school and pupil. Gewirtz, Ball and Bowe (1995) found for example 'a stricter insistence on uniform and ..an increase in exclusions' (p.140). It is important to remember that being seen as tough on discipline and using the exclusion sanction can be a 'selling point', approved of by parents as a whole; justified by the view that a troublesome child doesn't deserve to be in the school with their own children.

With the increasing emphasis on the child as a commodity, concerns have been expressed as to the fate of those that are unwanted. Lloyd Bennett (1993) and Blyth and Milner (1996) both refer to excluded children as 'unsaleable goods'. Similarly, Gewirtz, Ball and Bowe (op.cit) note that schools regard pupils either as valuable 'commodities' in the market place, or alternatively as 'undesirables' (p.141). The signs by which schools identify potential 'pupils with problems' (DfE 1994c) and the responses of schools will be discussed in Part Two of this thesis, looking at the difficulty respondents in the Social Services experience in securing any sort of schooling for a child accommodated by the local authority. 'The market valorises certain kinds of success activities, behaviour, and children, and devalorizes others' Gewirtz, Ball and Bowe (1995 p.142). Those devalorised are by degrees denied power, designated non-participant and in varying ways excluded.

Ranson (1990) states that 'the market masks its social bias' while it reproduces inequalities under the 'guise of neutrality', actively confirming and reinforcing 'the pre-existing social order of wealth and privilege' (p.15).

Ball (1993) argues that schools are becoming increasingly culturally biased, marginalising working class families; but in market terms 'neither policy nor procedures are to blame' rather it is the consumer who has chosen badly, 'the biases in the system are obscured, 'because in matters of culture absolute dispossession excludes awareness of being dispossessed' (Bourdieu and Passeron 1990 p.210 cited in Ball 1994 p.118). Even if it is considered that the undeserving have 'no one to blame but themselves' for their status, they will not go away; and as Beaumont (1996) and others have noted the marginalised classes, demonised in right wing discourse, seem to be a growing presence in an increasingly unequal society.

The research that is presented in Chapter Five onwards shows the practical response of schools in a competitive education market, to troublesome pupils; and shows the consequences of a policy which depends upon 'choice' as a sorting mechanism. Children found to be below established standards, to use the language of a commodity market, are identifiable as sub-standard commodities and as the allocation of educational resources in a competitive market is desert led, those whose behaviour and ability identify them as less deserving are allocated resources that are inferior to those which are afforded for the more deserving. The thesis argues that the marked national increase in exclusions from schools has been a consequence of a policy that valorises those whose abilities, behaviour and cultural modes conform with those of the policy makers, and correspondingly devalorises those who fail to conform. Hence children with special educational needs, children looked after by the Social Services Department and children from ethnic minority groups, have been at greater risk of being excluded by schools. Respondents interviewed during the early to mid 1990's describe their experiences of the practical operation of a policy which they *all* in various ways, consistently report as marginalising the children they work with.

## Footnotes

[1] Beaumont proposes that the early nineteenth century concept of the 'dangerous classes' has been revived, citing Rainer, Professor of Criminology at the London School of Economics who notes that 'What we are seeing is a return to a pre-democratic view that regarded whole classes of society as effectively outlaws'. He further cites Professor David Lownes at the LSE who 'believes that the new language is part of a 're-invention of the moral economy of Victorian England' with its vocabulary of exclusion'.  
The Observer 11th August 1996 (p.14).

It seems that what the present thesis would term a discourse of exclusion was being developed.

[2] Keith Joseph The Times 21 October 1974.  
Baroness Cox, Laurie Norcross, Roger Scruton and Kenneth Baker cited in Jones 1989 p.38.

[3] BBC 2 First Sight: Out of Sight Out of Mind, 3 December 1992

[4] In a differentiated education system those concentrated at the bottom will of course be a problem.

The 1.00pm News BBC 1 23.10.96 reported that The Ridings School in Halifax was involved in industrial action, with teachers threatening to strike unless 60 pupils were excluded from the school. The news presenter, discussing the unions position explained that 'Calderdale has the highest proportion of grant maintained schools in the country, so the state schools pick up the main burden of responsibility'. The Ridings was formed by an amalgamation of two struggling state schools.

Once The Ridings was dealt with, interestingly, Calderdale was reported as having the lowest exclusion rate in all of the West Yorkshire metropolitan authorities (TES 11.12.98).

**CHAPTER THREE**  
**THEORETICAL FRAMEWORK II**  
**IDEOLOGY AND POLICY**

This chapter outlines the legislative mechanisms whereby market forces have been effected and then addresses the relationship of complex, diverse themes and often apparent contradictions invested in the legislation put in place by the Conservative Government. Firstly, an account is given of how Conservative ideology has been invested in a programme of legislative reform, it demonstrates the mechanisms through which ideology effects change, illustrating the forces that structure educational opportunities for pupils schools find difficult to teach. Secondly it considers apparently conflicting ideologies invested in SEN recognised good practice and market forces. Thirdly this chapter looks at the relationship between stated intention and practical outcome of Conservative reform in relation to the excluded; which the empirical research described in Chapters Five onwards will provide evidence to support.

**3.1 Legislative reform**

The beginnings of the programme of legislative reform which has brought radical change to state education could be discerned in the Education Act 1980, which required that schools publish their examination results and began to extend parental scope in choice of school. Since the 1970's the idea of a Parents' Charter had been developing, (Norman St.John Stevas' speech Stockport 1975, discussed by Sexton in Ball 1990); Conservative ministers had long argued that parents should be able to send their children to schools of their choice. But the full power of open enrolment was not brought in until the 1988 Education Reform Act.

After the Warnock Report (DES 1978) the need for reform of the provision for pupils with special needs was apparent. The Education Act 1981 formed the basis for statutory control of special education throughout the eighties, and with the later modifications of the Education Act 1993 and the Code of Practice (DfE 1994) the basis

tenets of this piece of legislation still apply. The Education Act 1981 established the basis of statutory entitlement and defined special educational needs:

#### Section 1

'A child has 'special educational needs' if he has a learning difficulty which calls for special educational provision to be made for him',

A child has a 'learning difficulty' if he has significantly greater difficulty in learning than the majority of children of his age'

'Special educational provision' means educational provision additional to, or otherwise different from, the provision made generally for children of his age in schools maintained by the local education authority'.

Thus the concept of special educational needs is described as relating to the child, although defined by the level of provision normally available. The interdependency of the identification of special needs and the environment in schools is particularly significant in the case of pupils considered to have emotional and behavioural problems, who it will be shown, are particularly susceptible to changes in the tolerance levels of schools. The 1981 Act requires that Local Education Authorities identify and assess special educational needs and provide a statement of these needs, for which the local authority is then obliged to make provision (EA 1981 Sect 5 and Sect 7). The act seems to recognise an entitlement to integration, Section 2 (2):

'where a local education authority arrange special educational provision ..it shall be the duty of the authority, (subject to the conditions below), to secure that he is educated in an ordinary school'.

The conditions, which are given in Section 2 (3), make the provision of integrated schooling dependent upon:

'the provision of efficient education for the children with whom he will be educated; and the efficient use of resources'.

Although the Act was progress of a sort the concept of 'special education needs' was still viewed as a deficiency within the child.

Section 3 of the Act also allows for 'education otherwise than in schools', indeed it had long been the practice unofficially, to despatch children who had been badly behaved in school to unit provision. The Education Act 1993 developed unit status further, as will be described below.

During the eighties parents and school governors were given increased powers, the Education Act 1986 devolved further rights concerning the curriculum. The Education (No 2) Act 1986 required that the Headteacher enforce



discipline in school and in the fulfilment of this duty (Sect.23) allowed for the permanent and indefinite exclusion of pupils. The research presented here was conducted between 1988 and 1996, the earlier part of the research showed children out of school indefinitely, i.e. for prolonged periods with the education authority failing comply with its duty (EA 1986 Sect 24) to direct schools to reinstate pupils. Given the general furore that increasing numbers of children out of school produced, which reached a high point after 1992, there was a perceived need for legislation to be amended. The indefinite category of exclusion was described by the education minister Baroness Blatch in June 1993, as the power to put pupils into 'educational limbo' (cited in Harris 1994 p.252). Accordingly the Education Act 1993 removed the power of schools to exclude pupils for indefinite periods. However, this did little to address schools' inclination to exclude pupils and exclusion from school it is still a prominent public issue (Children's Society 1998).

The 1988 Act declared its nature by its name; the Education Reform Act brought about fundamental changes in what state schools deliver and in the way they are managed. Firstly the Act introduced a compulsory National Curriculum; secondly it obliged schools to admit up to their standard number, termed 'open enrolment'; thirdly it delegated school budgets to schools themselves and fourthly it established a new form of school, the Grant-Maintained school, putting in place procedures for schools to acquire this status.

As Lawton (1989) observed, the curriculum had become a party political issue, bound up with the standards in schools and national competitiveness. Although it had long been a politically debated issue, only ten months elapsed between the declaration of Conservative policy of a statutory national curriculum and the Education Reform Act which brought it into effect, giving central government direct control over what is taught in schools. Presented as ensuring consistent standards, the Act established a National Curriculum consisting of core and foundation subjects (Section 4 (1)), the Secretary of State having the power to specify by order attainment targets, programmes of study and assessment arrangements (Section 4 (2)) as appropriate for each subject. The new admission arrangements covered in Chapter II of the Act prevented local authorities restricting the number of pupils admitted to a school, and obliged schools to admit up to their standard number (Section 26). This meant that local authorities could no longer maintain undersubscribed schools by redistributing pupils, and that there would in consequence be 'failing schools'; the less popular schools would, justifiably, be the 'market casualties' and

if they did not improve they would close. Popular discourse however, focused on the extension of parental choice of school brought about by open enrolment. Chapter III of the Act obliges the local education authority to prepare for financial delegation to schools (Section 33). Whilst significantly weakening the power of the LEA, this move was generally cautiously welcomed by schools. However, the budget share that would be apportioned to a school would be dependent upon a prescribed 'formula' drawn up by the authority based upon the number and ages of registered pupils in that year, taking into account other factors, such as the numbers of pupils in school with special educational needs. Research I conducted earlier for a related study found that in practice special needs funding diminished (Stirling 1991).

Local Management of Schools was a key element in the introduction of market forces in education; presented by the Government as extending autonomy to schools, encouraging individual enterprise and thereby facilitating greater diversification of provision to enable parental choice. The mechanism of open enrolment with schools' budgets dependent upon pupil numbers, would achieve fuller significance with the later requirement upon schools to publish the results of national assessment and with a programme of school inspections. Popular schools that could attract pupils would prosper, unpopular schools would be starved of cash and would either be forced to improve or close.

Chapter IV Section 52 of the Act introduces a new form of school, the Grant Maintained school, which received funding directly from the Secretary of State and would have more independent powers.

In terms of its effect the main thrust of the Act was to transform a national system of education, locally administered, into an individually run, centrally controlled, market system of state education. The education market, established by the 1988 Act, was further developed by the Education Act 1993, which promoted procedures for schools' acquisition of Grant Maintained status and the establishment of new Grant Maintained schools. Whilst the main part of the Act was designed to assist schools in the transition to GM status, there were important changes (Miscellaneous section) concerning children with special educational needs and the arrangements for admissions and exclusions. Part III of the Act, Section 156, reiterated the meaning of special educational needs and special educational provision, using similar terms to those given in the Education Act 1981;

but the Act also obliged schools to 'have regard to' the provisions of the Code of Practice in the Identification and Assessment of Special Educational Needs (Section 157) (DfEE 1994b); so although not part of the Act itself the Code had more authority than circulars or non-statutory guidance in specifying required good practice.

An appendix to the Education Act 1993, the Code was added to placate the vocal 'special needs' lobby supported by the criticism of the Audit Commission and HMI report (DES 1992); but the Act itself furthered a more selective form of schooling that many considered likely to disadvantage pupils with special educational needs (Russell 1990, Lloyd-Smith 1992, Evans and Lunt 1992). The Code detailed schools' obligations in identifying and acting on special needs. It required that schools have a SEN Co-ordinator, keep appropriate records and liaise with relevant external agencies; it outlines schools' duties to respond in five school based stages, given time deadlines, to the assessment of need. It also further clarified the drawing up and reviewing of the statement. However no additional funding was made available to schools to fulfil these new requirements.

By 1993 the Government was obliged to recognise that exclusions from school had increased, (if only acknowledging its own survey, the National Exclusions Reporting System). So the Education Act 1993 Section 261 reframed the conditions of school exclusion, removing the power of Headteachers to exclude a child for an indefinite period replacing it with a fixed term:

'The Headteacher of any school maintained by a local authority or grant-maintained school may not-

- a) exclude a pupil from the school for an indefinite period, or
- b) so exercise the power to exclude a pupil from the school for one or more fixed periods that the pupil is so excluded for more than fifteen school days in any one term.'

Although given the unrest in schools these time limits have been revised in the Education Act 1997, Section 6, with the flexibility of being able to exclude for up to 'forty five school days in one school year'.

Section 262 of the Education Act 1993 made provision for funding to follow an excluded pupil to the new provider of education, pro-rata for that financial year, (heralded as a means of 'fining' schools that exclude, being difficult to administer with any speed, in reality this amendment has had little effect).

A further important condition pertaining to school exclusions in the 1993 Act, was the duty placed upon the local education authority to provide education elsewhere for pupils excluded from school (Section 298). This provision could be within that specially organised for the purpose and would be known as a 'pupil referral unit' (PRU), which would offer 'full-time or part-time education otherwise than at school' for excluded pupils. A broad and balanced curriculum was proposed; which seems less than realistic given the limited teaching time generally offered, and the staffing and physical resources of these units. Children can be excluded on disciplinary grounds from these units for excluded pupils (Schedule 18 Section 7).

Stirling (1993b) expresses concerns that the official sanctioning of part-time provision as suitable for excluded pupils would have undesirable consequences. Schedule 18 in effect modifies the obligation upon the local authority of Section 8 of the Education Act 1944, to provide full time education for all pupils, by authorising part-time provision for some.

Guidance to schools in respect of exclusion is provided by Exclusions from School, Circular no.10/94 DfE, which gives a permanent exclusion as appropriate where 'allowing the child to remain in school would be seriously detrimental to the education or welfare of the pupil, or to that of others at the school'. But as Ofsted (1996) points out, 'national information indicates that permanent exclusions are used for a much wider range of offences than originally intended' (p.52).

As noted in the previous chapter, the White Paper Self-Government for Schools (DfEE 1996) put forward proposals for selection in grant maintained and local authority schools. It was intended that this be followed by an education act bringing this into effect; as a single piece of legislation, this more than any other would have increased exclusions from school. But as, in the final stages of the Conservative Government's period in office, their majority was insufficient to carry radical legislation, it was dropped from the Bill, (which received royal assent prior to the general election as the Education Act 1997), and so the country narrowly escaped a formally selective system of state schooling.

### 3.2 Ideology into policy

The seeming anomalies within advanced Conservative education policy have been commented upon (Lawton 1988); such as the discursive emphasis upon devolved powers to schools and parents, whilst what is taught has become centrally directed, assessed and controlled. An anomaly also exists between Conservative discourse and noticeable problem issues surfacing repeatedly in the public domain. For example, the persuasive assurance of greater public choice of school, yet a marked increase in the numbers of children excluded from their school, (who clearly have severely restricted choice), reported by the DfEE's own survey (National Exclusions Reporting System 1993). The assurance of greater diversity of educational provision from which to choose, with the evident need for newly designated, often part time units for those not able or not allowed to go to a school. We have better educated children it would seem, and yet the DfE needed to release a weighty set of circulars on 'Pupils with Problems'.

The above issues are more than simply an unfortunate and minor side-effect of a policy of overall improvement. Policy development in education is dependent upon patterns of ideological influence within the power holding party. Maw (1998) observes that 'the Education Reform Act is the outcome of ideological conflict, not between politicians..but ideological conflict *within* the political right..'. She argues that Conservative policy can only be understood in relation to general Conservative policies, such as privatisation; and that the tensions between control and devolution, centralisation and privatisation, uniformity and diversity, are inexplicable without such a concept. The origins of present Conservative education policy lie in a mutually dependent inter-action of neo-liberal and neo-conservative influences.

As Lawton (1989) observes, classical liberalism, a political philosophy supporting minimal Government intervention in state activity, including state schooling, is still a powerful theme within Conservative education policy. Keith Joseph, talking to Stephen Ball (1990) saw compulsory state education as a fundamental problem:

'We have a bloody state system, I wish that we hadn't got. I wish we'd taken a different route in 1870. We got the ruddy state involved. I don't want it'. 'If we could move back to 1870 I would take a different route. We've got compulsory education, which is a responsibility of hideous importance, and we tyrannise children to do that which they don't want, and we don't produce results' (Ball 1990 p.62).

Should not a good education be for those that can benefit from it - those that are deserving?

We have 'a system that tends to discount motivation. You compel children to go to school, you've got them as prisoners and if some of them truant, too bad.' Although 'politicians ..are unlikely..to say 'Let's go back to 1870' . 'And short of going back to 1870, one is very limited in what one can do. Very limited'. Keith Joseph cited in Ball 1990 (p.174).

Diversity of schooling was seen by Joseph as one way of escaping from the problem created by compulsory state education. With education for the deserving increasingly invested in policy discourse, badly behaved children excluded from school need not be prioritised when planning improved standards; although with a propensity to be a 'nuisance' some form of containment and training could perhaps be deemed necessary? The privatisers, had the proposals for the 1997 Education Bill been carried, would have succeeded in achieving a fair equivalent of privatisation in the state sector with greater independence for schools to select on the grounds of 'ability or aptitude' (DfEE 1996 p.25).

It is tempting to identify the neo-liberal influence in policy development as financial delegation to schools, and neo-conservative influence in the establishment of a curriculum upholding national values (ERA 88 Chpt III, and Chpt I); although it is in the inter-action between these two radical legislative developments that market force policy achieves its resolution and advances existing social class order.

Local Management of Schools, by the mechanisms described in the first section of this chapter, financially rewards schools in relation to their ability to attract pupils (ERA 88 Chpt III). Margaret Thatcher promised that 'Money will flow to the good schools' (Simon cited in Lloyd-Smith 1992 p.14), which are the schools that respond successfully to the demands of the most powerful 'consumers' (Lloyd-Smith *ibid*). The essence of the neo-liberal position is that

'The blind, unplanned, uncoordinated wisdom of the market..is overwhelmingly superior to the well-researched, rational, systematic, well meaning, co-operative, science-based, forward looking, statistically respectable plans of Governments...The market system is the greatest generator of national wealth known to mankind: co-ordinating and fulfilling the diverse needs of countless individuals in a way which no human mind or minds could ever comprehend, without coercion, without direction, without bureaucratic interference'. (Joseph quoted in Lawton 1988 p.50)

This view that the market is akin to a force of nature is misleading, it took many terms of office and the 'plans of Government' systematically translated into statute, to set the education market in place: it is the result of a highly planned, value-invested view of the role of state education developed over a prolonged period in office.

It could be argued that a centrally imposed curriculum is at odds with the 'unplanned', 'uncoordinated' wisdom of the market, being centrally and bureaucratically directed. But for the neo-liberals the significant aspect of the a common curriculum is that it supports a programme of national testing which enables selection and differentiated schooling. The National Curriculum serves both to justify policy, by its claims to national unity, and to facilitate broader policy, as a means of diversifying schools. The operation of market forces in education, competition between schools to attract consumers, is dependent upon there being a means of comparison between state schools, a common curriculum which shows the differences schools are able to attain. Without a common means of comparison differences would be meaningless; as it is, a nationally assessed curriculum is means of differentiating schools which ultimately has a cultural and correspondingly related social class function. Ironically therefore a national curriculum ensures recognisable differences, as much as promoting unity, between schools.

The National Curriculum was designed to restore the teaching of nationally held values and ensure consistency. Ball (1994) discusses the form of curriculum considered desirable by the cultural restorationists, citing two newspaper articles by the New Right thinkers O'Hear and Scruton published in 1991, 'the classical tradition (is) the highest achievement of European culture'; the emphasis is upon western classical heritage and factual learning (p.34). Perhaps the problem with a suitable curriculum is not simply what it includes, but where it leaves what it omits; Ball cites Foucault's second principle of *exclusion* - division and rejection - the hierarchical positions of the relative interpretations of the curriculum are quite clear, as are their cultural attributes in terms of social class (Foucault 1971 p.11). Representing the classical tradition within the curriculum as a canon, denies recognition of the fact that the curriculum itself is a merely a selection from the country's culture, what Ball refers to as 'edited highlights' (1994 p.46). The neo-conservative concept of the curriculum as embodying eternal fundamental values, based on a prescribed view of nation and national heritage, has its origins in the public school tradition. Aldrich

(1988) questions whether a nationwide curriculum should be built upon 'so limited a foundation' (p.30); how much of the population is excluded from the cultural milieu of an elite?

Legislation introduced by the Conservative Government, obliges state schools to deliver a curriculum which is centrally organised and in which the cultural values of the dominant class are invested. 'Schools should not be, and generally are not, value-free zones' (DFE 1992 p.7). A nationwide curriculum in schools, provides a constant means of assessment, and of comparison between schools. Competition between schools, in the introduction of open enrolment and formula funding, -'drives' the education market and in market terms ensures improved standards. Government policy discourse presents this improvement as across the board (DFE 1992 and DfEE 1996).

The neo-conservative interests in the Government as well as assertive neo-liberal beliefs, are invested in the resultant market policy; producing a state system which is highly stratified and which protects the values and interests of power holders and those prominent in what could be termed 'the establishment'. Greater power over state schools has accrued directly to the Secretary of State as a result of Government reforms, and the devolution of power to parents and to schools asserted in policy discourse, is not and was never intended to be uniformly distributed, serving more to legitimise and enforce policy than to ensure a more equitable society. (For example see the hierarchical allocation of the power to select pupils recommended by Self-Government for Schools DfEE 1996).

Hence the two agendas, the unfettered operation of the market and a nationally cohesive curriculum, are inter-dependent, inter-active rather than mutually exclusive; with a programme of cultural restoration driven by entrepreneurial market forces. A successful policy synthesis which has reconciled seemingly disparate political factions and fulfilled the interests of the power holding elite by ensuring social class differentials.



### 3.3 Conflicting ideologies: SEN and market forces

A second aspect of incongruity apparent in legislation, is the incompatibility of special needs and childcare developments with the promotion of market forces in education. In the early 90's, the period in which the Education Reform Act was coming into effect, concerns were expressed that there was practical inconsistency between differing aspects of childcare and educational reform (Neate 1991, Lloyd-Smith 1992, 1993, Sinclair, Grimshaw and Garnett 1993). It seems immediately apparent that assertive entrepreneurial approaches, encouraging challenge, initiative and self-interest, being essentially competitive, do not sit comfortably with approaches aimed at supporting those members of society that are disadvantaged. Commenting on the relationship of the Education Reform Act and the 1981 Act, Wedell (1988 p.103) observes that the latter affirms unequivocally the 'relativity of need'; in that by definition special needs are those which call for provision additional to the ordinary (EA 81 Sect 1, EA 1993 Sect 156). The interdependency of the special needs category and ordinary schooling make this group particularly susceptible to educational change. Wedell expresses the view, voiced by many in this field, that the Education Reform Act, in introducing competitive forces in education, is likely to reduce support for pupils with special needs, and to reduce the range of choice available.

Measures that reduce the power of the local education authority, with devolved management to schools themselves (ERA 1988 and EA 1993) make the planning and administration of centrally held school support services increasingly difficult (Harris 1994). In responding to the market led demand for improved standards which can be demonstrated in league tables, schools find the child with special needs to be a liability rather than an asset.

As Gewirtz Ball and Bowe (1995) noted:

'children themselves are coming to be viewed as commodities, some of whom are more valuable than others. *The emphasis seems increasingly to be not on what the school can do for the child but on what the child can do for the school*' (p.176 italics in original).

A mainstream school which achieves a reputation in the field of special needs, will attract other such pupils to the school, which could place a disproportionate strain on resources.

A Headteacher interviewed here said that she felt 'swamped' by referrals of pupils excluded from other schools, which were 'unable to cope with these pupils' with special needs. Her school had a long established reputation and

was recognised as being able to work effectively with troublesome youngsters, but she complained that as time went on this was becoming increasingly difficult. It is interesting to note that several years on in November 1996, this school was listed amongst a few others in the Times Educational Supplement, as one of the lowest achieving schools in the country in terms of GCSE passes, with half the number of passes it scraped through on the previous year (TES 22.11.1996). Gewirtz Ball and Bowe (1995) cite respondents discussing similar difficulties associated with a 'good reputation for special needs'; 'so what happens? - you're flooded with SEN kids which don't drag the resources with them that they need..' (p.142); schools are aware of the long term implications of their admissions profile.

Respondents commented upon the changing nature of school populations, as a consequence of educational reform. The dynamics of local competitive arenas on schools, school admissions and their perceived profiles in relation to other schools, are described by Woods, Bagley and Glatter (1996). Similarly the effects of a system that is more responsive to the needs of high achievers, both upon 'problem pupils' (rather than pupils with problems), and on the dynamics of schools' market position, are discussed by Blyth and Milner (1996). As Margaret Thatcher has stated on several occasions, 'You can't buck the market' [1]. Dependent upon locally competitive factors, - market forces, to a greater or lesser extent, come into play; with recognised success in terms of demonstrable standards, being rewarded, and less successful schools 'sinking'.

The programme of reform set in place by the Conservative Government could be viewed as the de-comprehensivization of state schooling. Gewirtz Ball and Bowe (1995) stated that

'we appear to be seeing an intensification of status hierarchies, provisional differentiation and segregation within the state system. Working -class children and particularly children with SEN, are likely to be increasingly 'ghetto-ized' in under-resourced and understaffed low-status schools' (p.188).

Furthering selection on the grounds of 'ability or aptitude' (DfEE 1996), leaves those pupils with lesser ability lesser choice, in a competitive market inevitably this means lower status provision. Gewirtz Ball and Bowe (1995) observes that 'selection and exclusion are permitted as means of controlling pupil compositions' ( p.189); indeed exclusion can be used to enhance the school's reputation as insisting on high standards (Ball 1994 p.96).

Woods, Bagley and Glatter (1996) suggest a hypothesis, that change tends to be concerned with traditional academic issues and that concern with the caring aspect of a school is given less prominence (p.24).

The fundamental difference between the ideology which is embodied in the education market and that invested in the special needs oeuvre, is that the former rests upon a desert-based conception of the distribution of resources whilst the latter subscribes to a needs-based understanding of the access and allocation of these resources (Gewirtz Ball and Bowe 1995). So although 'caring' aspects of legislation, drawing on the special needs heritage, would seem to be designed to protect vulnerable pupils (EA 93 and the Code of Practice), the overwhelming thrust of market forces conditions schools' response. David Berridge (1991) who has undertaken research for the National Childrens Bureau, expressed concerns that the provisions of the Children Act 1989 could be undermined by other legislation. Sinclair, Grimshaw and Garnett (1993) consider the education of 'children in need', - which the Children Act 1989 identifies (CA 89 Sect 17 (10)). Many children who have special educational needs will fall within the category of 'a child in need', either by virtue of disability or owing to their need for services. Sinclair, Grimshaw and Garnett (1993) identify four key groups of young people and children in need within the education system: 'children with special educational needs, children who are 'looked after by the local authority, children who are excluded from school, and persistent non-attenders at school'. Under childcare, as well as under educational legislation, the authority has a duty to meet educational needs.

The nature of these responsibilities is further specified in Arrangements for Placement of Children (General) Regulations 1991: Sched 3 sets out considerations concerning a child's educational needs which should form part of the care plan:

- 'the child's educational history,
- the need to achieve continuity in the child's education,
- the need to identify any educational need which the child may have and take action to meet that need,
- the need to carry out any assessment in respect of any special educational need under the Education Act 1981 (Amended EA 93) and meet any such needs identified in a statement of special educational needs under ..that act'.

Sections 35 and 36 in Sched 3 of the Children Act 1989 make provision for the courts to make an education supervision order if they are satisfied that a child of compulsory school age is not being properly educated, that is he is not receiving 'efficient full time education suitable to his age ability and aptitude and any special educational needs he may have' (CA 89 Sect 36 (3) (4)). This reiterates and reinforces the duty placed upon parents by the Education Act 1944 to ensure that their child is in regular attendance (Sect 39).

In the case of children excluded from school indefinitely (prior to the 1993 Act), it was found that the authority was generally reluctant to exercise its duty to direct a school reinstate a pupil; similarly, the authority with a permanently excluded pupil on its hands, was found to be reluctant to direct a school with places to admit the pupil; which results in lengthy delays and some pupils being 'lost' to education until they reach school leaving age. Pupils with special educational needs are in a similar position to excluded pupils, ( in practice it has often been a matter of the inclination of teaching staff, the availability of resources and luck, as to which of the two categories a child is designated; described by Neate (1991) as 'a lottery'). There has been evidence from a range of authoritative sources that legislation designed to safeguard the interests of pupils with special needs (i.e. EA 81) was proving largely ineffective . The Audit Commission and HMI (1992) criticised the lack of clarity in the identification of special educational needs and the lack of accountability in respect of the responsibilities of mainstream schools in response to these needs; it criticised also the lack of accountability for pupils with statements, the lack of accountability for pupils without statements and the lack of incentives for LEAs to respond effectively to special educational needs; it pointed out the often lengthy delay in securing provision for the child with special needs (p.52).

Accordingly the 1993 Act clarified and amended not only the statutory framework governing exclusion from school but the obligations in respect of pupils with special educational needs (EA 93 Sect 261. EA 93 Part III Sect 156, 157 and the Code of Practice). But as is shown in this chapter (4.2), the main thrust of educational reform (the Education Reform Act and all but a few sections of the 1993 Act as listed above, as well as the planned education Bill 1997 which was intended to follow the White Paper (DfEE 1996)) has been structured to effect market forces in education with speed and certainty, to differentiate schooling by competitive mechanisms geared to reward those with aptitude and ability. The amendments to the '93 Act in the climate created by Government policy seem little more than a legitimising response, addressing the symptoms rather than the cause of the increase in pupils with problems.

Neate (1991) in an article entitled 'Pulling in different directions', points to the opposing directional thrust of special needs and childcare legislation and the Education Reform Act; an argument which is developed further by Lloyd-Smith (1993), who points out that the direction of legislative reform has created a climate which can encourage schools to exclude those they find difficult to teach, and that the intentions of legislation designed to safeguard these pupils are 'thwarted' by the growing movement of the education market, resulting in a 'policy vacuum'. Lloyd-Smith points out that the process of exclusion

'has been used by Headteachers as a means of selection and regulation, a form of 'ethnic cleansing', sometimes in the literal as well as the metaphorical sense..' (p.22).

Just as Headteachers can 'shape' their school population by admission and exclusion, so too market forces differentiate, in effect 'shape' the education system, to conform to an approved model; (Pole and Chawla-Duggan (1996) entitle their book Reshaping Education in the 1990's). In terms of the envisaged model, pride in a national culture and identity, and values invested in a national curriculum, need to carefully balanced to represent all sections of society which have contributed to this heritage; and not present the cultural achievements of an elite as an embodiment of eternal absolute standards to which able pupils can aspire, an ideology which would justify a culturally differentiated education system. The metaphor 'ethnic cleansing' in the extract above (Lloyd-Smith 1993), suggests cultural marginalisation and social exclusion, the extent of the relevance of such a concept to the state system of education constituted by Conservative policy will be considered later in the thesis.

In conclusion it is perhaps simplistic to point to contradictions within legislation, rather legislation is structured to ensure approved values are upheld and the interests of different factions are appropriately prioritised. Special needs have their place upon the agenda. Stirling (1991) reports a respondent whose colleague had previously been employed within the DES and was involved in producing the 81 Act explaining that the act was initially drafted, following the Warnock report (1978), intending to prioritise the needs of the child and to ensure that the local authority would be obliged to make suitable provision; described as 'a statement equals funds'. However, it was reported that Keith Joseph directed that all references to finances be scrapped and instead the phrase 'subject to 'the efficient use of resources' be substituted (EA 81 Sect 2 (3)(c)); thus prioritising pupils with special needs in relation to other pupils, (this Wedell (1988 p.103) termed 'relativity of need'). Bearing in mind the ideology of the

able and hence deserving child, it could be viewed that less able pupils are less deserving of scarce resources (pp.160, 161).

So whilst it is evident that aspects of legislation are invested with conflicting ideologies, it can be argued that the effect of Conservative reform has not been contradictory, as it has promoted an education system differentiated according to and consistent with centrally approved values; legislation that implements 'the broader agenda aimed at replacing the welfare state with the enterprise society' (Lloyd-Smith 1992). Deeming the strong and the able as deserving (judged against a culturally specific model), special educational needs are devalorised (Gewirtz Ball and Bowe 1995); thus, the thesis argues, the reformation in education has disadvantaged pupils who are either intellectually, emotionally, culturally or socially disadvantaged.

### **3.4 Conservative legislation: intentions and outcome**

Woods, Bagley and Glatter (1996 p.13) refer to quasi-markets in education as a political as well as social phenomenon. Invested with beliefs and values underpinning Conservative ideology, the Government's education policy was prompted largely as a response to concerns in respect of Britain's economic position in relation to its competitors in the period after post-war development. The radical reform in education developed over the past decade was intended to bring about major change: from a system seen as lacking in cohesion, in common standards, and in accountability, which was ineffectively managed locally, - to a system of education nationally unified and individually managed, which would be centrally led, accountable and monitored. The system as it has been restructured is very much the product of a capitalist interpretation of the dynamics of production of wealth. However, woven into presented discursive legitimization of this policy are themes of devolution of power and individual autonomy. This concept of devolution of power is based upon the premise that individuals will act competitively in the pursuit of self interest, and that conditions should be structured to advantage those whose values conform to an envisaged model. As Toynbee in 1884 observed, 'competition...is still the dominant idea of our time', so much so that it is 'taken for granted' (Clayre 1982 p.375). The 'model' education system, founded

upon the ideology discussed in the preceding chapters, will embody values, beliefs, attitudes and assumptions belonging to the power-holding class.

Understanding the mechanics of market policy, although serving to reveal the means by which policy is effected (as such this has often been the direct focus of criticism), is in itself less important than understanding the ideology supporting this policy; which is necessary for an understanding of the structured outcome, - which should, if the mechanics are effective, conform to the approved ideological archetype. The extent to which micro factors can modify the outcome of macro processes, is dependent not only upon the dynamics of the micro market, but also upon the confining parameters of legislative control. Hence questions of intent in respect of outcome, are structured by an understanding of: firstly the efficacy of the means of enforcing reform, i.e. legislative mechanisms; secondly an understanding of the scope for autonomous action on the part of practitioners; and thirdly, the ideologically desirable ends policy seeks to achieve. It is between considerations of these factors that an assessment of the practical outcome of policy can be reached.

Taking the approved ideological model to constitute a diversified education system, with choice of resources accessed by aptitude and ability, the extent to which outcomes affecting disadvantaged groups are held to be significant can depend upon the extent to which the ideological model itself is deemed desirable. However Government discourse states '*every child should have the very best start in life*' (p.iii) and speaks of raising 'the standards achieved in schools by *all pupils of all abilities*' (p.15) (DFE 1992). The boundaries of validity of policy the thesis suggests, are those set by cultural and social circumstances. In the shifting dynamics of the market process both parents and schools seek to retain or to improve their social position. The mechanisms of achieving this are culturally dependent; parents who can effectively interact with schools, giving approved 'messages' that schools recognise, have greater scope; schools that effectively engage with the local or 'quasi' market (Woods, Bagley and Glatter 1996), promoting their position in relation to other schools, gain greater autonomy. The market is a mechanism for the hierarchical distribution of power; it promotes and it excludes.

The thesis suggests that the education market was never intended to simply simulate commodity markets, but was rather a reconstituted means of achieving certain political and ideological aims via competitive means (i.e. the

approved archetype); and that the 'market' is a legitimising metaphor in achieving these ends. Lawton (1989 p.8) describes Conservative education policy as 'reconstructionist', in that it seeks not only to benefit individuals, but also to improve society. At this point it is worth recalling Margaret Thatcher's oft repeated maxim that 'there is no such thing as society' (Morrell 1989 p.17), the Conservative party are concerned with nation, national identity and encouraging individual competitive (more than co-operative) endeavour. If the intention of the introduction of an education market was to ensure social class stability and order and to promote the economic interests and values of the power holding class in the state education structure, then as a vehicle for achieving its purpose the thesis considers it can be considered successful. Based upon a long and theoretically developed ideological heritage, carefully structured and delivered in a programme of radical legislative reform, those that subscribe to Conservative views will rightly consider market forces in education have achieved a great deal.

Ball (1994) arrives at what he describes as the 'stark conclusion' that

'the implementation of market reforms in education is essentially a class strategy which has as one of its major effects the reproduction of relative social class (and ethnic) advantages and disadvantages.'

In respect of intentions and outcome, he adds,

'I am not arguing that these consequences are intended by the advocates of the market but neither should they be regarded as entirely unexpected given the values and processes of the market' (p.103).

Ball then goes on to explore the operation of the market as a class strategy. Lawton (1989 p.8) describes Conservative education policy as 'reconstructionist', in that it seeks not only to benefit individuals, but also to change society. Conservative education policy is premised upon an archetype that endorses class differentials and enables access to resources by what is recognised as merit. The research will provide evidence to show increased marginalisation and so argues that this policy can be criticised in terms of equity.

The education market is a device which empowers the consumer, rather than the citizen, consumption being essentially class related. The market is structured to advantage and hence encourage parents and schools to conform with the approved archetype. It polarises because the archetype is socially differentiated. In shaping the archetype, pupils with what is recognised as merit are promoted, those whose behaviour conflicts with approved values are marginalised; hence selection and exclusion are an integral feature of policy. Brehony (1990) commented that Conservative Government policy is moving in the direction of providing a wide and well



resourced education for the selected few, and basic schooling for the rest (p.128); a system which would embody Disraeli's concerns for British society, that it comprises 'two nations'. Gewirtz Ball and Bowe (1995) notes that Hershoff and Cohen, who have conducted educational research in the USA conclude that 'any educational improvement that a market approach might bring comes at a price: the creation of an underclass of disfavoured and underfunded schools' (p.166).

Views upon the desirability of a socially stratified public service sector will differ. Influential in New Labour, Robertson and Symons (1996) in the Journal of the Institute of Public Policy Research, New Economy, express the view that this is undesirable. They propose a method of financially rewarding parents of what it must term 'high quality' children, who are generally middle-class, for sending their children to lower class schools; arguing that 'low quality' children, who often come from disadvantaged homes, would benefit from being educated with their middle class peers. The editor of New Economy is reported in the Observer (1 December 1996) as stating:

'what is clear is that if we do not do something like this, we will find that choice has led us to almost total segregation, and that the UK economy suffers as a consequence' (p.5).

Robertson and Symons argue that the advantages gained by educating the brightest children together are far outweighed by the disadvantages to the majority left behind [2]. The emergence of not just 'pupils with problems' but 'problem schools' supports this view [3]. The thesis considers that a selective system is economically undesirable for the UK as a whole, in that it undervalues the potential of a large percentage of the population, and that marginalising a sector of society is also socially undesirable in that it produces adverse social consequences.

'The efficacy of ignorance has been long tried, and has not produced the consequences expected'.  
Samuel Johnson.

Although recognising that further research on education policy, not only on failing pupils, but on failing schools, is necessary, the thesis proposes the following hypothesis:

Conservative education policy, embodied in legislation dependent upon market mechanisms, shapes the institutional state apparatus, the education system, to conform with an approved archetype, which serves to perpetuate existing class differentials. The 'shaping' effects of market forces promote approved abilities, attitudes and behaviours, and correspondingly marginalise inabilities, attitudes and behaviours, which are deemed

undesirable. Within the context of a dynamic education market, (whilst subject to individual variation), pupil exclusions are an essential part of market differentiation.

The research shows the effect upon certain groups of pupils of schools' response to policy led directives and expectations, as well as to legislative change described in this chapter. Respondents comment upon what has happened to the children they work with and explain why schools have acted in this way, providing evidence to show that schools identify these pupils as damaging. In the case of the earlier interviews respondents compare schools responses in the management of troublesome pupils with the way they responded prior to the implementation of reform, providing evidence to show that the attitudes of schools 'hardened', and supporting the assertion that Conservative policy has increased the marginalisation of disadvantaged children. Respondents give detailed information on the quality of education provided for excluded pupils, showing that diversified provision affords these pupils an inferior education.

The research enables a fuller understanding of Conservative education policy and the meaning of increased school exclusions.

### Footnotes

[1] Thatcher M, September 1992 Speech at the World Economic Development Congress in Washington, hosted and broadcast by Cable News Network.

'The first and general lesson is that if you try to buck the market, the market will buck you'.

Also cited in Comfort N (1996) *Brewer's Politics* Cassell London as 'Margaret Thatcher said 'You cannot buck the market" (p.373).

[2] 'Bribe clever pupils to save ailing schools', Martin Bright Education Correspondent to The Observer 1 December 1996 p.5.

[3] In the winter prior to the general election, the Ridings School Halifax, Manton Junior school Worksop and others which have suffered considerable unrest around the issue of the exclusion of pupils, were in the national press daily (November and December 1996).

Also Times Education Supplement November 1st 1996 front page 'Rise in primary exclusions', and Times Education Supplement November 8th 1996 front page 'Exclusions rise relentlessly'.

## **CHAPTER FOUR**

### **EXCLUSIONS - THE NATIONAL PICTURE**

The following chapters present the evidence which answers the theoretical question developed in the previous chapters; what is the relationship between increased school exclusions and a policy of educational reform? First this chapter establishes the context in which the thesis is sited, in terms of relevant nationally available research, from which it draws major issues to be addressed. It gives a broad overview of research on school exclusions during the early to mid 1990's and compiles a national picture of available surveys and short term studies on this issue.

#### **4.1 Reports in response to increasing school exclusions.**

The Education Reform Act 1988 is recognised as 'the biggest piece of educational legislation ever enacted in this country' (Rogers in Hayden 1995 p.4). On its introduction teachers and academics in the field of education voiced considerable apprehension as to its likely effects (Willey 1989, Wedell 1990); concerns which were supported by some early research suggesting that the 1988 Act adversely affected pupils with emotional and behavioural difficulties (Peagam 1991, Stirling 1991a, b).

In 1992 The Centre for Studies on Integration in Education (CSIE) published a report written by Will Swann which found an increase in the numbers of children in English special schools without the protection of a statement under the 1981 Education Act. Owing to pressure for placements many children were being placed 'pending assessment', despite DfE guidance that this should happen only in 'exceptional circumstances' (DfE Circular 22/89). In the authorities surveyed, between twenty and forty per cent of pupils were without statements, and in Hereford and Worcester fifty per cent. An overall deterioration since 1986 was reported (Swann 1992).

'Serious deficiencies' in the quality of provision for pupils with special educational needs were identified by the Audit Commission and HMI (1992). This study found: i) a lack of clarity both about what constituted special needs and about school and LEA responsibilities; ii) a lack of accountability by schools and LEAs for the quality of

education and resources afforded pupils with special needs; iii) a lack of incentives for LEAs to implement the 1981 Act. The report criticised the failure of legislation to define what constitutes a special need, pointing to the considerable variation in statementing across the country. It noted that statements were taking significantly longer to prepare than the recommended six months and reported that children in mainstream schools with special educational needs were under resourced. As Peagam (1991) and Stirling (1991) found, there was an increase in the number of children with emotional and behavioural difficulties being excluded from schools, yet the number of available special school places were found not to have increased. The report stated

'There is a need for research to clarify how many children have emotional and behavioural disturbance, to discover what provision is currently made for them and to assess the effectiveness of that provision. In particular, the trends in exclusions of pupils and the educational provision made for this group should be reviewed' (Audit Commission and HMI para 154).

The study concludes that 'changes at national and local level are needed. Some of these changes will require legislation' (p.2).

As the changes ushered in by the Education Reform Act began to bite, a host of professional organisations and voluntary bodies published the results of national surveys, representing the experiences of their members who were directly experiencing the effects of reform on pupils who had problems.

The National Union of Teachers carried out a nationwide survey of pupil exclusions (NUT June 1992), stating that exclusions from schools had jumped by twenty per cent in one year. The union gave as the main reasons for this increase a lack of resources and the introduction of comparative performance league tables, deteriorating home circumstances were also mentioned (although as a less significant factor). The survey found

'More than 5,300 pupils were excluded in 26 of the 117 education authorities. Even in these authorities, that is an underestimate of the actual number of pupils involved as some authorities did not include in their statistics all three types of exclusion .(EA 86).

If the increased level of exclusions is reflected in all other authorities then some 25,000 children are being excluded from school each year' (p.1).

Whilst all of the research reviewed in this section of the thesis found an increase in pupils excluded from school, the figures are presented in widely varying ways and total numbers of children excluded from school nationally, as extrapolated from these studies (where given), differ markedly. The next chapter will discuss the problems inherent and indeed the value of repeated attempts to count excluded pupils.

The reasons given by NUT members for exclusions were not surprising, featuring disruptive behaviour, verbal abuse and assaults on pupils or adults in authority; although 'poor attendance' is listed. Commenting on the survey, Doug McAvoy NUT General Secretary observes that the findings

'show that pressure on school resources has made it increasingly difficult for schools to respond to the needs of children with behavioural problems. The introduction of school league tables is having an impact. More and more, the energies of teachers and the restricted resources of schools will be directed towards making the school more 'attractive'. Exclusion of pupils is a cosmetic approach to achieving that 'attractiveness'. ...In this climate, exclusion of difficult pupils removes the problem and enables schools to push themselves up spurious league tables' (NUT News Release 17.6.92).

The survey data were provided by individual authorities and union members to the union's divisions; although the report advises that the survey represents a 'snapshot' of views and should be treated as an indicator rather than as hard evidence. It further notes that few authorities keep records which allow identification specifically of black pupils in exclusions. The report concludes 'it is clear that in-depth national research should be commissioned by the government into the underlying causes of the increase in pupil exclusions' (p.4).

In response to persistent calls on its members' 'hotline', in 1991 to 92 the Secondary Heads Association conducted a survey of 800 secondary schools in respect of exclusions from school (SHA 1992). They concluded that recorded exclusions 'represent the tip of an iceberg, hiding much good practice in preventative care' and declared that in this respect permanent exclusions are comparatively low. However they found that

'Different types of schools admit pupils excluded from other schools or 'at risk' at differing rates. Independent and GM schools admit fewer pupils in these categories. This leads to an anxiety for the future, already reported as present in GM dominated enclaves, that LEA schools will become 'dumping grounds' for the most difficult pupils' (p.5).

In April 1992 the Association of Educational Psychologists published the results of a survey of its members which reported that 'suspension rates had increased in their authorities over the past three years' (AEP 1992). The reasons given for this included:

'Stress in schools due to additional pressures (eg SATs, National Curriculum, LMS etc).  
Schools having greater opportunities to exclude difficult pupils.  
Increased public accountability: competition between schools, - 'league tables'.  
Schools have lower tolerance levels.  
Schools having uncertainty over their own futures.'

In respect of pupils at risk of exclusion the survey concluded that 'there appears to be a hardening of attitudes in schools towards this growing area of special educational needs' (AEP 1992).

The Advisory Centre for Education (ACE 1992) collected data from 78 LEAs on pupil exclusions during 1992. They found that the authorities collected and collated data in ways that 'were often at variance with one another'. However it was evident that fixed term and permanent exclusions had increased in all authorities. ACE found no correlation between the speed of transfer to LMS and the rate of exclusion, concluding that the relationship between financial delegation and exclusion was 'quite complex'. ACE also analysed calls to its advice line about exclusions during a period in 1991 and 1992; finding 'a whole catalogue of illegal procedures and poor practice' (Part Two ACE Advice Line Survey page 1). A third of callers were asked to take their child away from school (the 'fourth category' of exclusion, the unofficial exclusion, Stirling 1992). During the 1991 period half the calls to ACE concerned African-Caribbean pupils, and just under half pupils with special educational needs. Parental notification of the exclusion often failed to comply with official guidelines and the survey found that it was common for parents to wait weeks or even months for school governors to meet to consider the Headteacher's recommendation to exclude, in one case this period was a year and a half.

The Government's own survey, the National Exclusions Reporting System (NERS), was due to report in 1992. Towards the end of the year the findings of the first year of the survey only were released, buried in a discussion paper on Exclusions, thus effectively preventing comparison between the two years and an assessment of increase or otherwise. The paper expressed the Government's 'deep concern' about school discipline. It stated that 'too many children are excluded from school' (p.1) and reported 3,000 permanent exclusions for 1990 to 1991 (p.3). It noted that African-Caribbean pupils appear to be 'disproportionately represented' (p.3). It reported that there were 'often lengthy delays in completing exclusion procedures and in securing alternative provision' (p.4).

The NUT responded to the discussion paper drawing on the evidence of their survey and expressed concerns as to the reliability of NERS figure, pointing out that as it did not evaluate indefinite exclusions it in effect misrepresented the picture; in further support of this it cited Stirling (1992) 'the unofficial exclusion' (p.3). The

reply recommended that 'the DFE should commission independent research into the nature and reasons for pupil exclusions' including factors of race and gender (p.4). The Association of Metropolitan Authorities (AMA) replied to the discussion paper in January 1993, commenting on the figures provided by NERS it contrasted the NUT suggested 25,000 with the DFE reported 3000. It noted that 'glossing over the question of whether or not exclusions are numerically on the increase, the discussion paper avoids any analysis as to why this might be so' (p.2); pointing out that 'the system creates a financial incentive' for schools to exclude disruptive pupils (p.3), it proposed that it would be possible to develop a 'theoretical explanation ..rooted in increased competition' between schools (p.2) and concluded that 'the problem of school exclusions demands more thorough research' (p.4).

In March 1993 the television programme Panorama commissioned a MORI survey which reported the inevitable rise and gave the figure of excluded children in total at 66,000 in one year; this was compared with the DFE figure of 3,000 permanent exclusions for 1990/91, by the Times Educational Supplement (front page 19.3.93) which commented that the (then) still unpublished figures for the second year of the survey were expected to show a 'hefty increase'.

Following the Discussion Paper the Department released the second batch of figures confirming, as anticipated, an increase in exclusions (DFE News 23 April 1993). Figures for permanent exclusions given as:

1990-1991	2910
1991-1992	3833

(figures released by the DFEE in December 1998 show how this increase continued, see page 203 here).

At this stage plans were in hand for the new Education Bill and the press release giving this information was entitled 'A New Deal For 'Out Of School' Pupils' (Eric Forth). Following the changes in legislation, in respect of the local authority being placed under a duty to provide 'education otherwise', much of furore died down whilst the outcome was being assessed.

In 1993 Ofsted produced its report on the Education of Disaffected Pupils 1990-1992. Dealing 'with the topic of exclusion from schools and the education provided for excluded pupils' the study looked at schools in 10 local authorities and despite 'problems of reliability and consistency in how data are recorded' exclusions in all categories were found to be increasing, in some authorities at a 'dramatic' rate (p.2). There was a noticeable

increase in primary exclusions. Black pupils, especially African-Caribbean boys were found to be disproportionately represented. Ofsted noted that although LEAs make returns to the DFE through the National Exclusions Reporting System (NERS), there was found to be 'wide discrepancies between those returns and the LEAs own figures'. Schools were found to be reluctant to admit pupils excluded from other schools, even if they had surplus places (p.2).

Whilst unable to establish the reasons for the increase in exclusions, Ofsted proffered a hypothesis which included: reduced levels of teacher tolerance, punishment on a tariff, pressure to raise the image of schools by being seen as tough on discipline, headteachers no longer willing to make informal arrangements between each other when considering an excluded pupil, and difficulty in achieving a statement of special needs. Ofsted found a significant shortfall between the numbers of pupils excluded and the numbers placed elsewhere, for example an LEA with 53 reported exclusions during the research period 'lost' 22 'in the accounting' (p.3); confirming that many pupils excluded from school never return to education. Those that were offered unit provision often received just a few hours a week for months or years. 'In most units the education lacked a clear purpose ..and was well below pupils' age and ability' (p.5). Most units were found not to be implementing the National Curriculum, which made it more difficult to return pupils to mainstream schools. Ofsted concluded its report expressing concern at 'the sharp rise in the number of excluded pupils' and 'the unavailability of accurate data.. at local and national level..(which) inhibits the construction of consistent policies' (p.8).

The Education Act 1993 officially sanctioned unit provision for the first time, authorising (and it could be argued therefore encouraging), schools to dispatch disruptive pupils to such provision. The White Paper and the passage of the Act prompted responses: Stirling (1993b) questioned the wisdom of establishing more exclusion units; The Family Service Units as well as the National Children's Bureau expressed concerns that in a 'market-orientated environment' disadvantaged children would seem unattractive to schools and exclusions would increase (NCB Concern Spring 1992 p.13 cited in FSU 1992); and by 1994 the National Association of Headteachers were providing evidence of the rise in permanent exclusions following 'the removal of the right to excluded indefinitely', criticising the Government's policy as 'misguided' (NAHT 1994).



## 4.2 Research with a specific focus

Having established the pattern of school exclusions nationally in response to the Education Reform Act, the remainder of this chapter covers the key points of research published between 1994 and 1996, research projects that each adopted a particular focus in terms of exclusions.

School's Out published in 1994 by the Family Service Units and Barnardos recognised that there had been an increase in exclusions from schools and stressed the importance of the 'ethos of the school' (p.2), the authors suggest a relationship between the introduction of 'a market philosophy into education' and this phenomenon (p.8). They cited also research which demonstrated the significance of poverty, many excluded children have difficult home circumstances. They presented evidence based on ACE data (Ashworth) case studies of thirty families (FSU and Barnardos) and interviews with black families (Blair). They found racist name calling by others a factor in the exclusion of African-Caribbean pupils. They found widespread use of 'informal exclusion' and they also found 'untracked pupils' disappearing from the system (p.81). Their main focus was upon the family perspective, finding pupils excluded for long periods with little or no education, which had a detrimental effect not just upon the child but upon the whole family.

Outcast England published by the Institute of Race Relations, (Bourne, Bridges and Searle 1994), commented on the 'absolute silence' from the Government as to why black pupils are excluded in disproportionate numbers (p.40), and identified factors of racism within education. It discussed the 'culture of exclusion' (Bourne et al op cit) inherent in competitive market forces brought in by the Education Reform Act and its satellite legislation, stating that schools are far more likely to resort to exclusion now than they were prior to educational reforms ('twenty times more likely' NAHT, Bourne et al p. 23).

Following up concerns it had expressed in its reply to the DFE in January 1993, the Association of Metropolitan Authorities established a working party to review special educational needs. Its report expressed the view that the role of the LEA had changed and that 'fragmentation of policy and practice generally remains a serious problem'

(AMA 1995 p.15). 'LMS and LMSS can also be negative influences, as schools seem more inclined to reject students who are difficult ..'(ibid). The working party noted the 'tendency of schools to reject students with EBD at an earlier age'; there was an increase in exclusions and an increase in identification of students with EBD across the country, caused by schools' 'lower threshold (of) tolerance..for aberrant behaviour' (p.25), in the face of increased competition. The report urged LEAs to 'develop monitoring systems on exclusions which go beyond keeping track of numbers' (p.26).

A study by Carol Hayden (1996) for the Social Services Research and Information Unit on primary exclusions focused on three Local Education Authorities, with 265 excluded children; 38 individual case studies were examined in detail. There was found to be: an increase in recorded exclusions suggesting a tripling over a two year period (1991/92 - 1993/94); the majority of excluded pupils were boys and there was an over-representation of African-Caribbean boys. Difficult family circumstances were present in the majority of cases and a high proportion of excluded pupils had statements of special need, particularly emotional and behavioural difficulties. The research concludes that 'a more competitive, market- orientated school environment makes it more difficult and less attractive to cater appropriately for children with Emotional and Behavioural Difficulties' (Hayden op cit p.13).

Most of the studies cited here acknowledge the effect of 'market forces' they leave the issue unexplored but in a paper presented at a conference at the University of Teeside (1995) Carol Hayden asks directly 'Children Excluded from Primary School: an effect of Quasi-Markets in Education?'. Whilst Hayden uses the term 'quasi-market', which emphasises the essential differences between a commercial market and a competitive education system, this thesis chooses to adopt the popular terminology, not only because this is the language of popular discourse, but also because 'market forces' have ideological associations and a heritage, [1].

Hayden recognises the significance of parental choice and 'the threat of market forces to less popular..schools', and cites the conclusion of Ball (1993) that in the new education market teachers are working within a different value context driven by competition. She observes 'There is already evidence of concern that quasi-markets in education are unlikely to operate equitably' (p.6), or to promote 'equitable access to and distribution of resources' (p.10). This thesis argues that they were never really meant to, (discussing equity see pages 28 - 29). The market can be

viewed rather as a governing mechanism deploying resources to confirm approved values and deliver necessary Government reform by 'shaping' a state apparatus to fulfil a broadly approved archetype, (in a democracy one which the Government could argue it has a mandate to carry out). That the 'exercise of choice by some..diminish(es) the choice of others' (Hayden 1995 p.6), is not surprising, or to be complained about within a market system; the issue is whose choice is enhanced and whose diminished? Participatory power is allocated, or withheld, in order to achieve structures and systems desired by the elected Government. Hayden argues that 'on every criterion exclusions might be seen as the unfortunate by-product of quasi-markets' (p.6); the present thesis views exclusion as an integral and in this sense 'necessary' part of the policy process. This argument is developed more fully in the concluding chapter, which suggests that policy discourse misrepresents the archetype. By the term 'archetype' I refer to the broadly conceived model, given commonly agreed values, which the actions of power holders are designed to achieve. In the case of the Conservative party the public school system is considered exemplary (DfEE 1996). However, this is essentially an elitist model; hence the representation of a system facilitating the public's 'choice' of schools', which is discursively asserted, is in itself questionable.

Although a competitive education market is proposed as the first reason, Hayden adds that there could be other reasons for the national increase in recorded exclusions including stressful life events, unemployment and social and economic changes (1995 p.12). While these are not unconnected with broader Government policy, I am not convinced they are sufficient as explanations in themselves. Given that in the period following what Hayden herself recognises as 'the biggest piece of educational legislation ever..' 'against which all earlier Acts were to pale into insignificance' (1995 p.4), there has been an unprecedented increase in exclusions from schools, it would be perverse not to consider that there was likely to be a relationship between the two. However, as Hayden observes 'there is not a simple relationship between the introduction of quasi-markets in the education service and the rise in ..school exclusions' (1995 p.12 ).

The real cost of excluding children from school has been a main focus of research by Carl Parsons (Parsons 1994, and 1996). Cleverly adopting the language of the market, in terms of the efficient use of resources, this research has been widely listened to and has been able to make a valuable contribution to the debate about excluded

children; although there are difficulties with the methodology and the findings, (as is the case in quantifying exclusions, statistical data fails to show the real extent of the problem), I recognise the importance of being able to cite the cost in financial terms.

From 1994-1996 Parsons was involved in research contracted by the DFE on exclusions from school (DFE 1995). The main focus was LEA policy and procedures; numbers of permanently excluded pupils, before and immediately after the Education Act 1993, and provision made for permanently excluded pupils. All LEAs were surveyed with a short questionnaire; 91 usable responses were received from 117 LEAs. The breakdown of the data shows a continuous rise in the number of excluded pupils.

1990/91	2,910	1993/94	11,181
1991/92	3,833	1994/95	12,458
1992/93	8,636	1995/96	13,581

Whilst these figures are useful in that they give an indication of the extent of the national increase in permanent exclusions, the exact numbers are questionable, as the data had to be gathered from a wide range of sources which use varying methods of collecting information.

Parsons' research in 1993 looked at 11 primary school children excluded from school and evaluated the personal, social and financial cost. This focus was further developed in research conducted for the Commission for Racial Equality (CRE 1996).

The main findings were:

- ethnic minority children were disproportionately represented in exclusions
- there was considerable variation in alternative provision
- replacement education was found to be twice the cost of mainstream
- the average amount of education received during the exclusion year, was under 10%
- there was considerable variation in the time out of mainstream school across and within LEAs
- the trend in costs of permanent exclusions was upwards
- exclusion damages the family/carers as well as the child

- there was a lack of educational opportunities in Pupil Referral Units
- excluded pupils showed a propensity to become involved in crime
- school exclusions affect one part of the community disproportionately (CRE 1996).

Parsons (CRE 1996) estimates the costs of permanently excluded pupils in one year as running into six figures [2]. The conclusion reached is that an inclusive education policy is more cost effective, but that support in mainstream must be appropriately resourced.

In February 1996 the DfEE funded a research seminar at the University of Luton inviting a number of researchers and policy makers, thus providing a forum for discussion on school exclusion [3]. The report of the seminar, stated that the sudden rise in exclusion has led researchers to ask 'who', 'why' and 'how many', and referring to the national survey data, it observed that 'while there have been significant differences in the method of data collection adopted in these surveys', 'the dramatic increase in the number of exclusions..is undeniable' (Brodie and Berridge 1996 p.4). African-Caribbean boys, children with special needs and children looked after by the local authority were found to be particularly vulnerable to the exclusion sanction.

'Researchers at the seminar were in agreement that the number of exclusions has increased and is increasing, with some reference to this rise as 'inexorable' and 'relentless'. However, major concerns were expressed regarding the data held by local authorities about exclusion (ibid p.6).

'An area of considerable difficulty relates to the distinction made between informal or unofficial exclusion and exclusion where official procedures are followed'. ..it was agreed that failure to take account of this phenomenon led to a situation in which official statistics could underestimate the scale on which exclusions were taking place' (ibid p.6).

In respect of the seriousness of exclusion the report cited one researcher as stating that 'the effects were worse than having a criminal record' (ibid p.10). Pupil Referral Unit provision was criticised as of a generally low standard.

With regard to the reason for increased exclusions the seminar reflected other commentators, suggesting that changes in education policy might make exclusion more likely, with the introduction of LMS being particularly significant. It was also thought that schools might now have lower tolerance, though the report referred to the lack

of hard evidence for this and noted that it is a complex issue. The report concluded that the debate is hampered by a lack of research, especially a lack of longitudinal studies. Discussing research and policy it would seem that policy makers have not found research findings to be available, the implication being that there has been a failure in communication or in dissemination of research findings. I suggest that a significant reason for the 'failure' in communication of the findings of research into exclusions lies in the policy process; Schattschneider (1960) describe how issues that run counter to the thrust of policy, are effectively kept off the political agenda. The report concluded that 'further research regarding exclusions would be particularly desirable' in order to understand its implications for policy.

Also published in 1996, Ofsted's Recent Research on the Achievements of Ethnic Minority Pupils, observes that

*'Research has so far omitted any consideration of how exclusions fit into the life of schools. Indeed teachers' perspectives are absent from a good deal of the research altogether. And yet, exclusions are the result of school-based processes: whatever the appeal to outside influences, exclusions represent a decision by the school..to remove a child from the roll. Further research on this issue at school level is a priority' (Ofsted 1996 p.81 italics in original).*

The research described in this thesis draws on what could be termed the 'operators' of policy, professionals whose decisions daily direct the experiences of excluded pupils or of those at risk of exclusion. It is interesting that the focus of presently developing research seems to be directed *at* schools, a prescription for what schools need to do better, rather than with understanding the national increase in exclusions from schools, - which would be a comment on education policy itself (Ofsted 1995/6).

In 1997 Ofsted published Exclusions from Secondary Schools 1995/6 and reiterated that exclusion should be a last resort, used only after reasonable prior steps had been taken. In respect of numbers being excluded, Ofsted observed that as schools are not obliged to inform the LEA of exclusions of less than five days, it had not been possible to build up a full picture of exclusions; however, it was evident that some 80% of exclusions occur in the secondary phase. The inspectorate visited 16 LEAs, where they analysed data and interviewed senior officers, principal educational psychologists and principal education welfare officers, and visited support services. The survey confirmed that since 1990 rates of exclusion generally had risen. They listed the reasons for exclusion in terms of pupil behaviour, as for example, pupil abuse and violence; then stating (perhaps a little obviously) that 'Schools which exclude few pupils tend to be better than those which exclude many at managing behaviour'

(Ofsted 1997 p.6). The message clearly is that schools need to learn to manage behaviour better. Going on to discuss what schools do to avoid exclusion, Ofsted notes, again not surprisingly, that 'behaviour was somewhat worse in high excluding schools, and less expertly managed' (ibid p.13). A lack of expert management on the part of schools is focused on as responsible for the exclusion problem, - more expert management 'developing a positive climate and ethos' is advocated. As the phenomenon of increased exclusions occurred 'since 1990', it would seem that before that schools were better at managing behaviour, - the issue of why they have forgotten, however, is not part of the Ofsted agenda.

The report notes that 'Exclusion rates are sometimes higher, but not always, in schools in more disadvantaged areas of inner cities' and that 'there is some association between exclusion rates and the proportion of pupils taking free school meals' (ibid p.9). The inspectorate also examined 112 case studies of excluded pupils and described such factors as 'poverty, bereavement, dysfunctional families, abuse and racism', as predisposing a pupil to the exclusion sanction. Given the marked increase in exclusions it could be thought that there has been a sudden increase in these factors since 1990, but evidence or reasons for this are not discussed. The report confirms that African-Caribbean boys are over-represented in school exclusions. They found that a higher percentage of these pupils lived with a lone parent, than did pupils in other groups, and that most were of average or above average ability and yet were significantly under-achieving.

Developing the argument that the difference in exclusions is related to schools' behaviour management, Ofsted generalises that 'low-excluding schools operate on the whole *more effectively* than high-excluding schools', stating that 'the majority of schools might and should be more effective'. There are problems inherent in attempting to use the number of exclusions from a school as a performance indicator, or in viewing an increase in exclusions as demonstrating a lack of effectiveness, as there many reasons why schools resort to the exclusion sanction (Stirling 1993a). Schools respond not simply to the presenting behaviour of the individual pupil; the research conducted for this thesis found that Headteachers take into account wider issues when considering an exclusion: the effect of misbehaviour on school discipline, the perception of parents, the school's 'market position'. To focus on increased exclusions as the result of the mismanagement of pupils by schools begs the question as to why so many schools have suddenly become ineffective.

Ofsted criticises schools' failure to adopt effective monitoring and response procedures, implying that schools too frequently *blame the pupils*, rather than looking to what they can do to address the issue, (as exclusion occurs in an interactive context). Yet the report focuses solely on what schools are not doing, and need to do to address the problem:

'the majority of schools could do more to prevent exclusion, without extensive additional resources or changes to the current legislative framework' (p.22),

'it can never be acceptable that exclusion is ..an outcome of inefficient practice or inept policy, on the part of the school' (p.30).

Ironically this in effect *blames the schools*, with no real recognition of the effect of national reforms which structure practical working parameters, (schools interact with each other and the community in a context framed by policy). Ofsted concludes that 'as always the onus of improvement lies with the schools' (p.31) and 'since no democratic society can afford to write off thousands of young people' it is up to schools to improve (p.31).

In 1998 the Children's Society published No Lessons Learned, yet another research study which found increased pupil exclusions, it gave the 1996-97 figure for permanent exclusions as 12,200 (Children's Society 1998) [4]. The society reported that exclusions had risen by 450 per cent over the past seven years. It found exclusions to be rising fastest in primary schools. The report suggested that the overall increase was due to schools' responses to league tables and inspections, as schools could not afford to retain expensive and or damaging pupils. It found African-Caribbean boys to be over-represented four times in exclusions and concluded that an increase in pupil exclusions created a social problem.

Finally, in May 1998 the New Labour Government's newly created Social Exclusion Unit published its report on Truancy and School Exclusion (SEU 1998). Describing the situation as having 'reached a crisis point', the report acknowledged that no one can know the precise number out of school, but it quoted the figure of 13,000 permanent exclusions 'each year'. Explaining the significance of this, the report focused on the link between exclusions from school and crime. Taking the first direct action aimed at halting the increase the new labour government set a target for the reduction in exclusions by a third by the year 2002. Although inclusion is now



firmly on the agenda there have to date been no significant changes in the way schools operate on a market led basis; it will be interesting to see what measures prove effective in stemming the flow.

### 4.3 Conclusion

In the reports, surveys and research described in this chapter, there is a remarkable consistency: an acknowledgement of a marked national increase in exclusions from school; despite varied suggestions as to the reasons for this phenomenon. It is thought that official figures under-represent the actual scale of the problem, although numerical data on excluded pupils nationally have been inconsistent.

There is a general agreement as to the nature of the groups most susceptible to exclusion: pupils with special needs, particularly those with emotional and behavioural difficulties; pupils from ethnic minorities; children 'looked after' by the authority, featuring prominently. There is evidence, although sometimes described as 'anecdotal', that Local Management of Schools and increased competition are connected with the problem. There can be variation between the exclusion rates of like schools (i.e. those with a similar socio-economic catchment area), so while recognising that most schools do not resort to exclusion lightly, it seems generally thought that schools need to improve their management of difficult pupils in order to curtail this increase in exclusions. Alternative provision for excluded pupils has been found to be costly and relatively inadequate in quantity and quality.

It is in the context of these issues that the research focus is sited. The first and most obvious issue arising from consideration of the national picture is the reported increase in exclusions from schools during a period of time which immediately followed major educational reform; i.e. during a period of centrally directed policy implementation. The key issue the research addresses is why this increase has occurred; it seeks a fuller understanding of the meaning of exclusion in relation to what is commonly termed 'market forces' in education..

## Footnotes

[1] For example, the phrase 'You can't buck the quasi-market' does not carry the same conviction.

[2] Practitioners working with excluded pupils would question the figures Parsons arrives at, being aware as they are of the 'hidden costs' involved; for example the often unrecorded work of professionals, and the unrecorded but costly offending behaviour of some excluded young people.

[3] In terms of the often criticised gap between theory and practice, it is interesting that of the two dozen academics and officials, I was the only practitioner (as headteacher of an EBD school), invited to make a contribution to the seminar.

[4] In a similar vein to the title No Lessons Learnt, which reiterated the findings of earlier research, the city council in which the research presented here was conducted published an exclusions working party report entitled, (rather unhelpfully), 'If there were an answer, somebody would have found it by now' (1995). Perhaps it seemed that there was no answer to the question 'why have exclusions risen?' and that the continued rise would be inexorable.

## CHAPTER FIVE

### THE NATURAL HISTORY AND METHOD OF THE RESEARCH

This chapter addresses the research methodology. First it explains how the research, which has been self-funded and part time, has developed and sites it in relation to the field of my employment. Then the chapter shows how the research questions posed in Chapter One have been addressed. It describes the practical methods of data collection and analysis employed, detailing and contextualising sources and describing interview techniques. It takes into account the relationship between researcher and the researched.

The thesis questions the value of focusing on the problem of school exclusions as a numerical phenomenon, proposing rather a more thorough understanding of the process of exclusion as essentially policy related. As *inclusion* is recognised as a process dependent upon the receptiveness of schools, the research proposes *exclusion* to be in effect its opposite. Exploring attitudes and responses to policy development the methodology employed has been predominantly qualitative. The chapter discusses how the research methods relate in certain ways to the ethnographic genre but points out its distinct features.

Finally the chapter explains the importance of the theoretical framework in addressing the reason for increased school exclusion. In examining the response of practitioners to policy directives it discusses issues of plurality, of centralisation of power and the degree of autonomy these practitioners exercise in relation to Government policy. How much room for manoeuvre do schools have within statutory constraints and societal expectations and how does this affect exclusions? In discussing the relationship between policy and practice the chapter shows why the research has addressed the key issues in the way that it has.

## 5.1 The natural history of the project

In 1988, the year of the Education Reform Act, I was working in a special school for pupils with emotional and behavioural difficulties. Conscious that radical educational reform would affect the climate in schools, I began part time research for a Masters degree which looked at the effect of the Education Reform Act upon the integration of pupils with emotional and behavioural difficulties. I anticipated finding that the re-integration of these pupils would be shown to be more difficult. During the course of this research 33 professionals in key positions in relation to the integration of these pupils were interviewed. The research was carried out within two contrasting authorities, one being a high statementing city authority, the other a low statementing rural authority, it was completed in 1991. Contrary to expectation the study found that the introduction of the Education Reform Act was having *no* significant effect upon the re-integration of these pupils; this was because there had been no re-integration of pupils statemented on the grounds of emotional and behavioural difficulties in the two authorities during and shortly prior to the research period. What the research found however, was that in both authorities pupils whose behaviour teachers found difficult to manage were being increasingly marginalised (Stirling 1991) [1]. It was evident that a far more thorough study, which focused on the relationship between school exclusions and Government reform, was necessary and the research described here was commenced.

By this time (1991) I was working as one of four Advisory teachers employed by the Social Services department in a large metropolitan authority. It seemed that children accommodated by the local authority were particularly susceptible to the exclusion sanction, and so I began research by conducting a pilot series of interviews across Social Services children's homes within this authority in order to find out why schools were excluding these children.

Meanwhile, it was becoming apparent that the relationship between national education policy and the practice in schools whereby children were excluded was quite complex, and could only be properly understood by an in-depth examination of Conservative government policy and the response of schools to reform which brought greater statutory obligations and public expectations. The theoretical basis of such a study was found in critical policy

research. While I became familiar with the work of Ball, Bowe, Gewirtz, Troyna, Simon, Jones and others drawn on in the previous chapters, the implementation of reform progressed. Between 1992 and 1993 a host of professional organisations, teachers' unions and voluntary bodies all reported that exclusions from school had greatly increased, and they questioned the reason for this. Although there were many individual quantitative studies showing a marked increase in exclusion, the reason for this was less well researched; a fact which served to confirm the need for policy study in this field.

Between 1990 and 1995 my work gave me daily and direct access to pupils and professionals involved in the exclusion process, as my role was to ensure the educational entitlement of children looked after by the authority and who were experiencing problems with their education. Consequently for five years, during the research period I was able to observe at first hand the effect of legislative changes and changes in LEA policy upon school exclusions within the metropolitan authority. However, I recognise the inherent dangers in conducting research in the field of one's own work, (this issue is dealt with later in the chapter). In 1993 I conducted interviews in the city Behaviour Support Service, with the heads of all nine centres and with the service officers. Interviews with headteachers in mainstream schools and with representatives of external agencies were subsequently carried out. The last research interview was conducted in 1996, and the research was written up for submission the following year, corresponding with the effective cessation of the implementation of Conservative government policy. Hence the research covers the period up until the Conservative government fell from office, beginning with the implementation of the 1988 Act.

## **5.2 Key questions**

The findings of the research I conducted between 1988 and 1991 suggested that there could be a connection between market led education policy and an increased marginalisation of certain pupils leading to exclusion.

In seeking a fuller understanding of the meaning of exclusion in the policy process the research asks:

- *why has there been an increase in school exclusion and what has this to do with changing policy?*

The research also considers the consequences of increased exclusion from school. In answering these questions the research addresses issues central to Conservative policy discourse, issues of *empowerment, of choice and the quality of education*.

The research addresses the reason for the increase in exclusions from school by asking groups of practitioners who daily and directly work with excluded children about the processes and decisions involved, not only in the case of individual children but in relation to changes in the climate in schools as a result of educational reform. The interviews were conducted over a period of six years, during which time there were significant changes in policy relating to 'pupils with problems'. Respondents were not asked directly about the effect of government policy, although their views on this often featured prominently in the answers they gave. The research sought rather to establish the practical effects of policy directives and to understand the reasons for decisions taken by headteachers and other professionals in respect of these pupils. Respondents in the support services were asked about patterns of referral to separate provision, the quality of alternative education provided for those excluded and reintegration opportunities. Respondents in the Social Services were asked about the consequences of exclusion. (See appendix 1a).

The evidence presented in the following chapters is arranged in this way: i.e. beginning with the response of mainstream schools to children whose behaviour they find difficult to manage and identifying those most at risk of exclusion; then reporting on the changing pattern of referrals and policy decisions of the support service; finally demonstrating the consequences of increased exclusions from school.

### 5.3 Data collection

#### i) Sources

The principle source of data is 50 semi-structured interviews with 48 professionals in the field. Secondary sources include Social Services Education Support Service documentary data accessed between 1992 and 1995: pupil case files, referral and intervention records and termly surveys of the education of children in children's homes. Broader documentary data, such as authority policy documents, guidance issued to schools, reports to committee of elected members, LEA records of excluded pupils, and school and support services policy and recording documentation, are drawn on. However, as in the case of the interviews, documentary data was used in combination with other data in order to verify its validity [2].

**TABLE ONE**

#### DATA SOURCES - INTERVIEWS

PERSONNEL	SERVICE	NUMBER	DATE
Children's Home managers (or deputy)	Social Services	12	Sept 91 - Feb 92
Team Managers	Social Services	3	Sept 91 - Feb 92
Advisory Teachers	Social Services	3	Dec 92 - Feb 93
Advisory Teachers	Social Services	2	Dec 95
Head of Mainstream Schools	LEA	9	Between Sept 92 and July 95
Head of Special Schools	LEA	2	Feb - March 92
Head of Behaviour Support Service	LEA	1	Three interviews Oct 91, March 92, April 93
Referrals Officer	LEA	1	March 93
Head of Behaviour Support Centre	LEA	9	Jan 93 - April 93
Section 11 Teachers	LEA	2	Feb 93
Community Relations Officer	LEA	1	Feb 92
Secondary school teachers	LEA	3	Feb 93
		<b>Total 48</b>	

**TABLE TWO**

**OTHER DATA SOURCES - DOCUMENTARY**

Social Services Education Support Service

DATA	SOURCE	DATE
Survey of educational status of children in Children's Homes	Termly survey of Children's Homes	1994 - 1995
Profile of children looked after by the local authority	Analysis of records of referral and intervention (North and East of the city)	1992 - 1995
Details of pupils educational careers	30 case files of children in the care of the local authority	1993 - 1995

**ii) Interviews**

Those interviewed were chosen as they either had first hand evidence of children experiencing schooling problems, and/or were in key positions in the authority's provision for behaviourally disturbed pupils. As this field of provision is relatively small, (in comparison to the numbers of mainstream schools) a strongly representative sample was interviewed, in fact all Heads of the city Pupil Referral Units were interviewed (the units became designated Pupil Referral Units or PRUs during the course of the research). As the study is about policy and provision for children excluded from school all of the agencies which normally work directly with these pupils were represented in some way. All of the children involved in the study had arrived at their educational status as a result of decisions taken by mainstream schools, and these decisions underpinned the evidence supplied by all respondents, who viewed them from their specifically informed perspective.

Whilst *what* was happening was all too apparent, reaching a fuller understanding of *why* there has been a marked increase in school exclusions presented the research challenge. At an immediate level headteachers interviewed would explain the reasons for an exclusion in terms of the pupil's misbehaviour, this served to focus attention on the pupil and failed to satisfactorily answer the question as to the overall marked increase. The research needed to contextualise events by listening to broader concerns expressed by practitioners in schools which they related to



the general management of difficult pupil behaviour in the prevailing climate; and by observing how schools exclude, what are the prompts and underlying factors? So Chapters Two and Three of this thesis, a theoretical analysis of policy, provides an important framework, a way of understanding at a macro level disparate events with seemingly different individual causes in which a consistently discernible pattern is evident.

In respect of the data drawn on I was careful to avoid what Ball (1994) described as selectivity, recognising that 'great parts of the real world experienced by the participant observer...*(are) selected out*' (p.78 italics in original). Given the time span of the study and data accessibility within the field there is a great deal of information to be selective with. Powney and Watts (1987) point out that 'one of the most common elements of the self-fulfilling prophecy is that educational researchers use pupil data to fit their own pre-existing categories and theories' (p.39). Sammons (1989) comments that 'ease of access often means overaccess' and goes on to discuss 'grand fishing expeditions' in the abuse of unrestricted data (p.50).

For this reason the research takes its cue from interview data, in the form of attitudes, assertions and events described; these were then questioned, or backed up by further examples in order to illustrate the argument, by evidence drawn from what has here been described as the secondary source. As there was great consistency in the views of respondents in terms of the issues in question, I could not have been selective in presenting their response, for example:

- all of the unit managers in children's homes reported more children out of school
- all of the Heads of PRUs reported more referrals

and both sets of respondents showed documentary evidence of this; their discussion on the reasons for this followed a similar pattern; all of the headteachers expressed the view that schools found it more difficult to manage behaviourally disturbed children and in their own way identified the same factors.

As to the interview questions, these followed a set format (of which examples are given Appendix 1), and were designed to elicit answers and supporting evidence in response to specific neutrally phrased questions; (for

example one question was, 'Are there more or are there fewer children out of school?', followed up by 'What evidence do you have of this?'). The interviews allowed scope for the broader issues to come from the respondents themselves; the last question was usually a form of 'and how do you see the future?', - the open endedness of this question afforded interesting data, telling me much about the respondent's experience of government policy.

Children's Home unit managers interviewed were asked about the numbers of children in the home during the school day, then evidence to support this was gathered from their registers and the reasons for this established by recourse to case files. The situation in respect of a return to education was looked at in a similar way. (See Appendix 1a). Respondents in the city Behaviour Support Service were asked about the change of focus from predominantly off-site units to an in-school support service (which still offered unit provision). The interview questions then addressed the number and nature of children referred and the situation in respect of re-integration. Schools' responses to the service and to pupils they found difficult to manage, was established during the interviews. (See Appendix 1b). Mainstream Headteachers were asked about meeting special educational needs and then about schools' (not their *own* school's) proclivity to exclude. They were asked about factors they considered affected exclusion (such as support agencies and other 'external factors'). By this point all of the Headteachers interviewed had spoken about the changes brought about by market forces in education. The interviews with headteachers also established which pupils were most at risk of the exclusion sanction. (Appendix 1c).

Discussing the relationship between the interviewer and respondent Powney and Watts (1987) emphasise the need for those being interviewed to be able to trust the interviewer. One advantage of interviewing colleagues or practitioners as was the case here, is that whilst one consciously adopts a neutral interviewer tone, the respondent assumes certain common interests and is keen to share experiences assuming we 'speak the same language'. The initial telephone contact always proved straightforward, and although I offered to send the questions in advance this offer was rarely taken up. I explained where my research was supervised and gave an indication of the focus, but deliberately did not say I was looking at the effect of Government education policy; rather I indicated the research was about special educational needs, children out of school and reform. The interviews took place either before or after work, in a quiet room or office in the respondent's workplace. The first thing I did was to give an

indication of the area of study and assure confidentiality. Whilst I had suggested the interview could take 30-40 minutes, I also asked if we had a time cut-off point; a few of the interviews took less than the allocated time, most a little more, one or two took almost two hours as the respondents had issues *they* wished to develop and evidence to show me.

Woods (1991) discusses the advantages and disadvantages of various forms of data recording; a tape recorder he considers especially valuable, but only if 'unobtrusive'. A tiny tape recorder was used for the interviews, I asked the respondents permission explaining that this was to aid memory and accuracy, on one occasion as the respondent had some particularly sensitive information to share I switched it off for part of the interview but continued to make brief written notes. The main recording method was actually rapidly jotted field notes, using a form of trigger words and abbreviation (which had developed with practice), although the tape recorder was useful as back-up where I wished to be able to reference verbatim quotes. I found I was able to scribble and I still maintain good responsive eye contact. I always wrote up my notes, checking against the recording, either the same day, or the next, as this task is made easier informed by memory. The longhand record of the interview was then scanned and points colour highlighted for importance; it was scanned a second time for specific issues which were cross referenced in a central file (eg LMS, National Curriculum, racism, truancy). The interviews were stored in sequence in groups of like professionals.

#### **5.4 Researcher and researched**

Troyna (1994) cites Ball in support of his argument for the inclusion of a history of the development of the research or a 'research biography' 'that is a reflexive account of the conduct of the research' (p.9), in order to locate the researcher in relation to the research process. Reflexivity requires, according to Hammersley and Atkinson (1983), 'explicit recognition of the fact that the social researcher, and the research act itself, are part of the social world under investigation' (cited in Halpin and Troyna 1994 p.10). Discussing objectivity and partisanship, Walford (1994) argues that partisanship *is* compatible with social science research. It would be easy to assert that political motivation or for that matter professional role interests, automatically invalidate any results

of research; thus undermining research with a political commitment or research from the informed interest perspective of practitioners in education. Walford (1994) questions the idea of neutrality in research, citing Myrdal (1969) 'there is an inescapable *a priori* element in all scientific work', that the questions asked by the research are themselves value invested (p.96). Walford concludes that the motivations of researchers are thus an important element in the research process. Certainly, given that the research presented here is a longitudinal case study, and that for the research period I was a practitioner in the field, factors in the relationship between researcher and the field of research need to be made explicit.

As the research has been independent I have not had to satisfy the interests of a sponsor. While an advantage of conducting research in one's own working practice is abundant, unrestricted access to field data, a disadvantage is the frequent assumption of a somehow subjective view of policy. Kelly (1978) simplifies the research process as: selecting a topic, formulating a hypothesis; conducting the research and obtaining data; analysing the data (Walford 1994). She argues that it is appropriate for the research commitment to enter the first and third stages and should be made apparent, but that the data gathering activity should be as value free as possible. Seeking to observe this maxim, the research draws on multiple sources of documentary data, as well as semi-structured interviews with different groups of professionals in the field, enabling a range of perspectives on the focal issue. Clearly, given that the research was carried out over a period of five years, the process as described by Kelly has been cyclical, whilst intrinsically involving a research 'stance', it has enabled progressive theoretical analysis at the same time. The research can also be considered in relation to national research described in the previous chapter, which adds support to the findings.

Employed to address the educational needs of children looked after by the authority between 1990 and 1995, it could be assumed that, representing their interests, I was 'anti' all forms of exclusion. The issue is not as simple as that; I have subsequently been a headteacher of two schools and have at times needed to exclude a pupil. My views on exclusion have not changed between 1995 and the present [3]. The research asserts values that lie in the issues themselves, rather than in the views of the researcher. To present the practical evidence of a policy which has increased the numbers of children without education and to claim that the research is neutral, would be morally

vacuous. The research found pupils who had little or no education for a large percentage of their school life were not exceptional.

Given the sensitive nature of the focus, it would be fair to say that the authority, and my immediate line managers, were not welcoming of the research. Although I sought to assure the Department that the research was concerned with the effect of Government policy and how it relates to exclusions, they were no doubt aware of exclusions as 'a problem' for the authority, one which it would seem they thought better kept low-profile. The research was not intended as an exposé but in addressing the relationship between reform and school exclusions, the extent of the problem of children out of school in an authority has had to be made clear, whilst recognising that in a competitive and 'accountable' climate schools are in many ways vulnerable and school researchers can hold a store of sensitive information. Discussing the complexity of conducting a longitudinal study in the current educational ethos, Wallace, Rudduck and Harris (1994) comment that they have had few, if any precedents to guide them in their handling of evidence; wishing to be 'true' to their sources without compromising the integrity of their interpretations. They were conscious in portraying schools

'as caught in a web others have spun and while there are of course many aspects of their policies and practices that they are fully responsible for, and have control over, external pressures are obliging them to go down some avenues that they find uncongenial' (p.182).

Hughes (1994) discusses the notion of sensitivity in social research and cites Renzatti and Lee's (1993) definition, 'A sensitive topic is one that potentially poses for those involved a substantial threat' for the researcher and or researched in the collection and use of evidence (p.194). Although standard confidentiality was assured, there was still the tendency to regard me as 'a spy in the camp'. However, given the nature of my job and the length of time a part-time study of this sort takes, it was not possible to restrict access to field data, or to prevent me conducting research without refusing permission and in effect declaring an area 'out of bounds' for research purposes. If research in a public service area is debarred, as Kelly (1989) observed, it prompts questions as to what is being concealed and whose interests are really being served by the suppression of this knowledge.

In terms of informed consent I was open with the other three advisory teachers as to the nature and progress of the research. In respect of interview respondents I was a little more circumspect, presenting a more neutral picture of the research, describing the project as about 'educational reforms and suspensions and special needs integration';

preferring to allow the issues to emerge from the respondents' own perceptions. The Education Department was a good deal less defensive than the Social Services and gave appropriate consent for the proposed research at an early stage. Although the Social Services Performance Review and Research Officer with whom I had regular (initially termly) meetings was particularly helpful and supportive, the Department continued to be wary. For example I met with the General Manager Children and Families on the 16.4.93 in the hope of being able to free up a little time to conduct interviews, after the meeting he wrote wishing me well in developing my research, but turning down my request for the flexibility of unpaid leave.

#### **i) The research in relation to ethnography**

The research presented here has some affinity with the ethnographic tradition of research. Discussing ethnography Madge (1953) states 'If results are to be 'realistic' investigators must penetrate and live in the communities they study' (cited in Powney and Watts 1987 p.22). Hammersley (1985), outlining the evolution of ethnographic research, explains the need to adopt an 'inside' view of the research field (p.152). The importance of becoming accepted in the research context is stressed in ethnographic literature; for example Burgess (1989) states that ethnographic data is based on 'close relationships in the field' (p.60).

The problem of integrating into the research context, of learning modes of behaviour, of becoming accepted and winning the trust of those researched is not a problem I encountered. Having worked in the field which was the subject of the research for many years the aim was not to 'get inside' the way (the chosen) group of people see the world (Hammersley 1985), so much as to 'get outside' my own experience; i.e. to understand my experience and the experience of colleagues in the field within a broader theoretical framework. The relationship between educational research and educational practice considered so important by those conducting ethnographic research (Woods 1991), - could not be closer.

Woods (1991) raises two important questions: firstly the generalizability or **external validity** of the research; and secondly considering the evidence or **internal validity** (how do we know respondents are telling the truth and their account is not 'tainted by our presence' p.49). Woods argues that generalizability is strengthened as the

theory is strengthened, that improving the internal logic of the theory in relation to the evidence or increasing the explanatory power of its parts addresses external validity. Discussing the gap between researchers and practitioners, Woods argues that 'The ideal (research) situation is to amalgamate the two functions - the production of knowledge and the demonstration of its applicability to educational practice' and policy 'within the same person' (p.2). But he asks, 'Can teachers or other professionals, without much more generous provision of free time, engage in any worthwhile research?' (p.2); certainly not easily.

In terms of the internal validity of the present research, the working environment afforded the advantage of an overview of the educational history of a large range of children involved with the social services, entailing daily experiences of meetings, case conferences, school and home visits, inter-agency working with other professionals, over a period of many years. This, from a research point of view, provided a wealth of abundant data, - whilst being a normal part of the field of research not an intrusive element (as an external researcher would be). Wallace, Rudduck and Harris (1994) were aware of their position as 'outsiders' in the schools studied and 'acknowledge that researchers are not a normal part of the everyday world of school' (p.175). However, in comparison with professionals, a part-time researcher is considered a novice; further, not recognised as an 'academic' it is more difficult for the viewpoint of the practitioner/researcher to be accepted as academically detached. Hammersley (1985) comments that 'the social settings to be studied, however familiar to the researcher, must be treated as anthropologically strange' (p.152).

Miller (1952), outlines the danger of 'over-rapport' or 'going native', presenting a biased or overly sympathetic picture and building implicit researcher/respondent values into the analysis. To counter this, data from a range of sources has been brought to bear on issues in order to establish their validity; as 'The use of multiple sources of data offers the possibility of triangulation as a means of assessing the construct validity of various data items' Denzin (1978).

Consequently the primary source of evidence is a series of semi-structured interviews with a range of professionals each with their own distinct values and viewpoints; backed up by multiple source documented information. It was necessary to consider very carefully the means of utilising the mass of data to which I was continuously exposed in

the work context. Whilst participant observation is central to ethnographic research, the research presented here chooses to use only data that is officially documented and is verifiable as 'on the record'; as given the circumstances described above and the department's suspicion of the research, it would be unwise and indeed exploitative to cite casual conversations however interesting. Researching in the field of one's own work poses particularly difficult ethical issues as, despite the assurance of confidentiality, absolute confidentiality is never really possible; Burgess (1989 p.22) also observes the difficulty of maintaining confidentiality in conventional research.

### **5.5 The relative merits of qualitative and quantitative research in the field of pupil exclusions.**

Research related to the ethnographic tradition generally draws heavily on qualitative data and has been a favoured research methodology of sociologically based studies (Troyna 1994). However as Pettigrew (1994) points out, this form of data while enabling a high level of analytical appreciation, lends itself less easily to presenting what is generally recognised as a simple 'fact'; 'It's more difficult to cite a qualitative fact as you would a statistic' (p.50). Discussing the predominance of statistical research in the public sphere, Sammons (1989) observes that 'much of the population remains vulnerable to facts, figures and the power of the word when spoken authoritatively' (p.34). Pettigrew notes that 'Researchers who conduct quantitative studies appear to experience fewer problems' (ibid); numerical research findings are often less subject to challenge ('you can't argue with the facts'), and this form of information is considered more useful as it can be appropriated by different interest groups to suit their own purposes. As such it is favoured by civil servants who, Pettigrew observes, seem to understand things by measuring them. Further, as validity can be confirmed by replication of findings, 'it would be possible to take the view that qualitative research can never be as valid, or indeed as reliable (in the sense that others cannot replicate it exactly) as quantitative research' Deem and Brehony (1994 p.162).

The requirement to publish what has been described as 'raw data' in school league tables has formed much of the basis of criticism of the unfairness of Conservative education policy, despite the view that 'examination results speak for themselves' (Sammons 1989 p.35). Discussing ethnography in relation to policy making and practice in



education, and the fact that this methodological orientation is at odds with the form of information valued by the Government, Hammersley (1984) comments:

'Distrust of input and output measures like test scores and examination results, and an emphasis on the importance of educational *processes*, are characteristic of that orientation. For these reasons, ethnographers have long been at the forefront in criticising reliance on quantitative measures, on the grounds that these presuppose simplistic conceptions of human social behaviour and of how it can be understood' (p.139 italics in original).

However Deem and Brehony (1994), although recognising that 'qualitative researchers are interested in theory or illumination and illustration rather than in empirical generalizability' point out that they will use quantitative methods where appropriate; arguing that the differences between qualitative and quantitative research have perhaps been exaggerated (p.163).

Whilst using a mixture of data, the evidence presented in the next few chapters is primarily qualitative, although some data are represented in numerical form, the emphasis is context specific and reservations are expressed throughout as to the validity of much numerical data in circulation in the field of school exclusions. Survey data typically is considered to have greater generality (Raffe, Bundell and Bibby 1989) and much use has been made of it in this area (as described in the previous chapter); the response to the plethora of statistical information was the dawning recognition of a problem on the part of the Department for Education and the commissioning of research aimed at solving it, or rather at addressing the pressing symptoms. (Hammersley (1985) differentiates between problem solving policy research and policy research in the 'critical model' (p.141).

Ashworth (cited in Cohen et al 1994) illustrates the great disparity between figures given by different organisations for exclusions nationally. Some nationally based research has acknowledged that there are 'untracked' excluded pupils, but has failed to explore this (Ofsted 1993). The unofficial exclusion and its relationship to those recorded is a significant issue in the research presented here. Schools contributing official data were reluctant to identify themselves as high excluding schools. Furthermore, the authority, in making data available for external research or for the DfEE, was similarly reluctant to identify itself as a high excluding authority; this affected the compilation of figures. Given so many ways in practice that schools can reject children or send them home, first hand qualitative research is needed to understand the factors at work in this process.

Also, representing exclusion in numerical form implies that an exclusion is a fixed, containable entity, an identifiable 'one-off' incident. This fails to appreciate that *exclusion is not an event, but a process*; a process which takes place on a continuum: i.e. a child can be excluded within the class from joining in a lesson, can be excluded from a lesson, can be excluded internally from all lessons, can be excluded for a day, or part of the week, or withdrawn for a 'cooling off' period to avoid being expelled -these are all unofficial phases and prior to the formal process being observed, which at times can become unnecessary as the child has lapsed into 'truancy' or has been withdrawn or transferred to another school. Exclusions rarely happen as isolated events, more usually they are part of a history of struggle on the part of the school to manage troublesome behaviour within a sanction process that imposes progressive pupil dislocation. Just as integration is recognised as a process (Warnock, DES 1978), so exclusion could be considered movement in the opposite direction. Recognising the importance of *inclusion* (which has become a feature of New Labour discourse), this thesis seeks a fuller understanding of the meaning of exclusion within the policy process.

For these reasons the thesis will not attempt to count the number of 'exclusions' in the authority during the period of study and provide yet another number. The scale and nature of the problem will be shown by other means; by asking headteachers and those in the school support services about 'difficult' pupils. Halpin and Troyna (1994) observe that

'Qualitative research strategies in the social sciences generally have wide currency because no one seriously doubts that what people say, think and do are better understood if their words, perceptions and actions are located in, and articulated with, specific contexts.' (p.198).

The research presented here will be 'led' from the attitudes and actions of practitioners, who are the 'operators' of policy. Halpin and Troyna (1994) continue,

Hence the importance..(of) interviewing people and observing and recording their behaviour in particular settings. Indeed the naive charge that qualitative researchers simply report their own and their respondents' subjective perceptions fails to appreciate that the ideas people think and act with, and the presuppositions researchers routinely draw upon in the course of data gathering, structure and help reproduce the very social worlds within which both respondents and investigators live and work' (p.198).

The research draws on interviews with practitioners daily and directly responsible for managing the exclusion process and upon whom the educational provision afforded those excluded or at risk of exclusion depends.

The immediate questions that the research addresses are the practical ones, - why are more pupils being excluded from school?, what has this to do with market forces in education? However, as the focus of the research is Conservative Government Policy and Exclusions from School the thesis tests the empirical data in relation to:

- Conservative Government assertions prominent in policy discourse;
- statutory obligations and market mechanisms structured by legislation;
- explicit questions of social justice.

It could be thought that asking whether or not the standard of education has improved by looking at *excluded* children, in selecting a negative aspect, is a self confirming study; (what about those children doing well on assisted places schemes etc?). This is to miss the point. That there has been a marked increase in the numbers of children excluded from schools tells us something about Government policy and, the thesis asks, is what it tells us a good thing?

It prompts questions like:

do some children, being more academically able, need or deserve a different or better standard of education than those who are less able?

How far can or should schools accommodate children who interfere with the efficient education of their peers?

Do schools and communities need to eject those identified as deviant in order to preserve established order? (and if so what should happen to these individuals?).

i.e. What is the meaning of educational marginalisation, - and why does policy disempower certain groups?

Ozga and Gewirtz (1994) observe that 'Working within the critical frame places requirements on the researcher to pursue ethical-research principles and to assess research activity in relation to what might be broadly termed social-justice concerns' (p.122). As discussed earlier in this thesis, values once considered fundamental, such as 'equality of opportunity', have been over-shadowed by a counter-text, a discourse invested with right wing values carried by market mechanisms; values of earned achievement, benefits for the deserving, identification and consequences of failure.

The thesis operates in a moral debate invested with value judgements such as these. It will show the mechanics of marginalisation invested in the thrust of market policy structured by legislation and, based upon careful consideration of policy as discourse in texts and statements, and policy as practice, develop a theoretical understanding of the perceived necessity of reducing participation of non-conformist groups.

#### **Footnotes**

[1] Data not used in the writing up of this earlier study has been drawn upon here, as the city in which the earlier research was conducted is the same authority.

[2] For example school registers were found not to show as truanting, children who were in the children's home when I visited and whom unit managers had logged in their day book as having been truanting for some time.

[3] In my experience the majority of Headteachers take exclusion very seriously and their views are not as different from that of the support services as it could be assumed.

## **CHAPTER SIX**

### **EXCLUSIONS FROM MAINSTREAM SCHOOLS**

The remainder of the thesis presents the evidence gathered during the research period relating it to the argument developed in the earlier chapters. The first part of the present chapter does not intend to present a full and up to date picture of policy and provision for pupils with behavioural difficulties and school exclusions, presently across the authority; rather it outlines the position of this group in relation to the authority's response to educational reform during the period of the field research, in order to establish a background for the presentation of the evidence. The purpose is to 'set the scene' in which the actors articulate policy; the changing picture presented is specific to this time frame. It considers the support and guidance provided for schools and the position of education itself within the authority; it also draws on evidence revealing the way the authority was viewed by the government and the effect this has had on local policy.

#### **6.1 The local authority and educational resourcing**

After the dissolution of the ILEA the authority became the largest in the country, with 80 secondary and 332 primary schools. Given a large inner-city catchment, a high percentage of 19th Century buildings and the needs of a multi-racial school population, it is fair to say that the authority had worries other than children excluded from school.

Between the mid 1970's and mid 1980's the authority had responded to growing pressure for alternative provision for pupils who presented behavioural problems by opening up a series of off-site units. Initially an attempt was made to rationalise these by designating some 'Guidance' units and others 'Suspension' units. The idea being that the former would work with schools and reintegrate pupils, whereas the latter would provide an alternative to mainstream. What happened was that the demand for the latter, not surprisingly perhaps, outstripped the demand for the former, and so more suspension units were opened (Lloyd-Smith, West and Richmond 1985). Prior to the reorganisation which was carried out in 1993 (described in Chapter Eight), there were 11 units in total.

At the start of the research, when asked about procedural guidelines on exclusions, schools were often uncertain. The main source of guidance on exclusion procedures issued to schools by the Education Department were the draft guidelines sent out in July 1988, Circular No: 43/88. Issued in response to the Education (No.2) Act 1986, the circular outlined good practice in terms of whole school behavioural policies; and gave details of the authority Education Guidance and Suspension Units, (later to be designated Pupil Referral Units). This draft circular remained guidance until it was replaced by new directives following the Education Act 1993. As late as April 1994 respondents in the Education offices were not aware of new draft guidelines being prepared. The Education Act 1993, implemented in September 1994, changed significantly the statutory requirements upon schools in respect of exclusion procedures; although it did not ensure schools complied with them.

Not only were special needs not prioritised within schools, education itself had been neglected by the city council; respondents who had worked for the authority for many years expressed the view that historically education had always been considered of relatively low priority in terms of resourcing. Subject to considerable criticism, from both within and without the city, on the standard of education in the authority, an enquiry into education within the authority was commissioned in the spring of 1993. Chaired by Professor Ted Wragg, the Commission took evidence from nearly 100 witnesses and also received over 100 written submissions. The findings of the commission Aiming High, were published in November 1993. The report states 'Points which recurred included the following':

'...witnesses commented on the standing of education in (the authority). Some felt that education was not a sufficiently important issue in the city. One of the Members of Parliament who came to give evidence said that ...in (the authority) it was not a top priority. This was regrettable.'

Many of those who gave evidence to the commission expressed considerable concern as to the state of schools used by children in the city. The newly appointed Chief Education Officer said he had 'grave concerns over the state of school buildings' (p.18), and a district HMI said that 'some of the buildings were in a shocking state' (p.48). Consequently the report concluded 'Finally we are very critical of the appalling state of some school buildings in (the city) and the significant underspending on education during the last few years' (Sect.112).

The amount by which the council has underspent on education, in comparison with the Standard Spending Assessment, the government's judgement of what the authority should be spending on its services, is detailed in the report (Sect.92):

'Over the last five years the position has been as follows, if one takes the theoretical 'underspend' on education to be the difference between the SSA and the actual spend:

1989-90	£30,800,000
1990-91	£46,300,000
1991-92	£64,300,000
1992-93	£60,000,000
1993-94	£34,700,000

The report continues (Sect.98):

'With such crumbling, energy inefficient, occasionally dangerous buildings, sizeable sums of money are needed just to stand still and halt further deterioration, let alone improve matters. ...The Chief Education Officer has estimated that the true need might be for as much as £400,000,000. The gap between what is available and what is needed is enormous, far too large to justify. Something drastic has to be done.'

Children excluded from school have traditionally been ascribed the lowest status of all, I found they were relegated to second hand left over buildings, and were unlikely to be considered a of higher priority in the future. Given the Conservative government's education policy, as will be shown, there have been more urgent priorities on the educational agenda.

A pressing concern was the need for the authority to present respectable published attainment results, in comparison with other authorities; but also the need to satisfy their schools in order to prevent, as far as possible, their opting out of local authority control. In December 1992, the city Secondary Heads Forum met with the leader of the city council to press for more money. Complaining, as the Times Educational Supplement put it, that 'The authority has earned the reputation of being the meanest spender on education in Britain while pouring cash into huge civic projects'. They issued, according to this article, an ultimatum 'pay up or we opt out' (Dean 1.12.92). Representatives of the Grant Maintained Schools reported to the (above) 1993 education commission the following year, that 'the poor physical condition of the schools was the main reason for schools seeking Grant Maintained Status' and gave figures which showed the extent to which they themselves had benefited financially from becoming grant maintained (p.30).

## 6.2 Educational standards and the government's view of the authority.

The (city) Education Commission was set up to initiate an increased drive to improve standards, 'hence the title of the report' 'Aiming High' (Sect.110). The authority had reasons to be concerned about educational standards. Presented with published examination results amongst the lowest in the country, and following the resignation of a chief adviser to the authority on education, in February 1991, the leader of the city council had commissioned an earlier report on the standard of education in the city. The study, carried out by the Director of London University's Institute of Education, was submitted to the council in February the following year; however, it would seem the city's ruling labour group were unhappy with the findings as they refused to make them public. Following a complaint of a cover up by the Conservative group, and on the direction of the city solicitor, the report was released in September that year (The Times Educational Supplement 11.09.92).

The findings, evidently disappointing to the authority, were that while examination results had improved, the improvement was very small; examination results were still worse than in most other parts of the country. Children from ethnic minorities were found to be underachieving, attendance rates in secondary schools were down and exclusions from school had increased, (officially given as a 36% increase between 1988 and 1991).

In July 1992 the Secretary of State for Education John Patten, unveiling the white paper Choice and Diversity and justifying the need to improve standards, described the authority as 'the worst education authority in Britain' (The Times 29.7.92). This was widely reported in the press. Representatives of the local press, giving evidence to the (city) Education Commission, said that 'Mr Patten was right to say that the various works undertaken by the City Council had taken place at the expense of schools' (p.12).

Again in March 1993, on a visit to the city, John Patten condemned literacy standards in the authority and called on parents to demand that their children be tested. He cited reports by the National Institute of Economic and Social Research and the Adult Literacy and Basic Skills Unit, which found literacy levels were below acceptable national standards. He said unpublished results showed standards in the city had to be improved. The Secretary of State blamed under-spending by the authority on education as responsible for the low standards; 'Children in this



city are being short - changed by their local authority' he added (Evening Mail 30.3.93). Words such as 'backward' or 'substandard' have frequently been linked with the name of the city in newspaper headlines. The Times Education Supplement in October 1992 reported on 'Substandard (city)', covering a report published by the University of Central England. This research found that two out of every three children in the city were being taught in what were described as substandard buildings. Citing the amount of underspending on education the report said that, for example, in 1991, this amounted to £120,000 per school in the city. A spokesman for the city council disagreed with the findings.

Not only did the Secretary of State for Education expressed a critical opinion of education in the authority, he also made extremely derogatory remarks about the Chief Education Officer appointed in September 1993, at the Conservative Party conference that month. Described by the (city) Education Commission (op cit) as 'one of the most experienced and esteemed people in the country, a man renowned for his vision and energy' (Sect.114); the Chief Education Officer not unreasonably considered John Pattern's comments insulting, and responded by suing for defamation of character. This was reported in the Times Educational Supplement, in the manner of an adversarial contest, as '\*\*\*\* V Patten' (9.10.93), and was one in which the CEO was successful.

Given the significance of the relationship between the Government and the authority in terms of relative power, and the increasing central control of state education, the open expression of such views put considerable pressure on the authority. Stung by this sort criticism it was particularly sensitive to the need to be seen to improve standards of education, responding to the Government's agenda in ways that would be popularly recognised as improvements, such as better league table performance.

In 1993 Aiming High devoted a lengthy section to standards of achievement in schools. It recognised that standards have been lower than they should be, acknowledging the evidence of a former district HMI, that in some schools in the city pass rates in GCSE were lower than had previously been the case in O' level, which was the opposite of the national trend and needed to be investigated. This witness said she felt that the city had 'set its face too rigidly against looking at the right sort of performance indicators' (Sect.58). Concerned about the issue of standards, the Commission put forward what they called 'a High Horizons Plan, in other words a proposal to aim

high', in order to raise standards of achievement (Sect.61); 'We want to see high expectations of the children of (the city)' (ibid). The report noted that '(evidence shows) that there are too few 18 year olds from the city coming forward for university education' (Sect.70), and stressed that 'there is a pressing need for all children in (the city) to be educated to their full capacity' (Sect.60). The Labour group witnesses 'wished every child in the city were able to take some form of public examination' (Sect.59).

In November 1993 the Times Educational Supplement carried an article on their front page which cited the authority, entitled 'Police fear growing tide of exclusions' [1]. The article stated that the city police force had expressed 'serious concern' at the growing army of children on the streets and in the city shopping centres. They had found many of these were children who had been excluded and had no school to go to; 'We were concerned at the high number of excluded children. Some can be out of school for up to two years' (Pyke 19.11.93). The newspaper approached the authority and a representative said 'There has been a large increase in the number of exclusions... It is not surprising that many of these kids are turning up in the city centres and getting into trouble. We are concerned' (ibid).

In response to my pointing out the sort of risks children out of school are exposed to, the Assistant Director of Education responsible for services for these pupils acknowledged these concerns, but he observed that the authority had been frequently criticised by the government over low achievement but never about exclusions from school (meeting 16.8.93). It was evident during the course of this interview that the authority was concerned with the public perception of educational standards within the city. Responding to Government criticism, with the need to be seen to raise academic standards, the position of children excluded from school within an authority in which education had for several years been underfunded, remained low priority.

This then was the broader background within the LEA during the research period. It is clear that the authority had quite definite priorities in terms of improving the standard of education in the city; the quality of material provision

needed to be seen to be improved and measurable academic results needed to be better; the authority had *not* been criticised by the Government for the provision made for children with special needs or for the numbers out of school.

### **6.3 Schools' responses to difficult pupils**

All 20 respondents interviewed within the Social Services Department reported children and young people out of school more frequently and for longer duration than was the case several years ago. Children's Homes unit managers were able to support this assertion with recourse to documentary evidence, registers and case file data. The unit manager of an all girls unit complained 'They're out of school more now - its easier - its just a phone call; and when we do get them back in they're out again in no time'.

All twelve Unit managers (or deputy unit manager), generally expressed the view that it had become easier for schools to justify excluding a pupil,

'They spend more time out of school now, exclusion is really a free whip, done in the tone of punishing the child' (Unit manager interviewed in 1991).

The same unit manager observed that 'Schools are more willing to exclude children 'in care' as they can abdicate responsibility more easily'. He observed that by being accommodated the child had already been identified as a 'problem'. Further, schools were described as 'wary' of children from families known to Social Services, excluded pupils, or those with 'notorious siblings'.

A Social Services team manager commented 'It's easier for pupils to be excluded, the issues are more difficult to challenge'. Being asked for examples the respondent continued 'Schools can just say he's affecting the discipline of the whole school'. Schools are increasingly aware of discipline in the face of external scrutiny, this respondent argued, and the exclusion sanction was not only easier for schools to justify, but could be the *expected* response in the case of behaviour beyond 'reasonable limits'; a response which showed that the school had 'set its standards'.

The Head of a Primary Pupil Referral Unit interviewed in 1993, expressing a similar point, put it that 'They can hardly afford *not* to exclude them'.

A Social Services Advisory teacher interviewed in 1993 commented that

'Exclusions have always been a problem - but now there's a tremendous increase in the number of excluded pupils - and more who are statemented and are given little or no interim support. There is also more chronic non-school attenders, these are linked to exclusions. More are getting lost in the system'.

Asked if the reasons for exclusion have changed, this respondent replied

'Not really, they fulfil the guidelines', (LEA guidelines were cited as 'May disrupt the education of others and lead to a breakdown of discipline'); 'but there's just more of these, it's because the school climate *fosters* more of this sort of response, they have to be less accommodating as they have more important priorities increasingly now'.

Commenting on the changes in education and devolved management to schools, this respondent observed that in the case of exclusions 'As long as their exam results are good .... schools can do more or less what they like'. She added that while some schools employ a consistent hierarchy of appropriate sanctions, (detentions, 'on report', internal exclusion etc), others act more arbitrarily.

Several unit managers complained that whereas once the issues governing exclusions were fairly clear cut, now 'different schools exercise different standards'. A team manager observed

'Previously reasons for exclusion could be 'He's a danger to others and a serious threat to school discipline'; allegations that could stand the test. Usually recognised procedures and methods were followed, and it was asked, were the young person's needs being met? There was more LEA control and so schools had to be more accountable. Now its open to local interpretation'.

'The more schools become independent, the less accountable they are in respect of exclusions. There is less independent scrutiny as to if the guidelines are being followed, so given schools obligations more suspensions will occur'.

The same Social Services Department team manager attributed the problem to 'schools' power', stating 'the problem is schools are judge, jury and executioner'. However, he recognised that some schools are more powerful than others, and in schools where places are competed for, exclusions can go unchallenged; the tacit assumption being that the child should pass on to a 'more suitable school'.

The headteacher of an aspiring local authority school stated at an exclusion meeting held in 1994, that the child in question (who was in local authority accommodation), should move on to a school where they could 'put up with' the sort of behaviour they had recounted at the meeting and made clear they themselves would not condone. Rather than addressing the presenting behaviour problems by demonstrating management strategies deployed within the school, they advised that he should 'go to a school where they are more tolerant of' that sort of thing'.

However, as the Social Services Advisory Teacher pointed out, there are very few schools willing to accept pupils identified as 'trouble', even schools going into 'special measures' are wary of accepting pupils who could further damage the ethos of the school. The pupil cited above, who was permanently excluded, was without education for several months and then received part-time education for his final eighteen months, taking no external examinations although academically capable of doing so.

The unit managers interviewed reported, with one exception only, that at least half of their client group were not attending school on a regular basis [2]; this was broadly confirmed by termly surveys I conducted for the Social Services Education Support Service - Figure One and Figure Two overleaf. There was documentary evidence that there were significantly more attending school some years previously (prior to the implementation of the educational reforms in the early 1990's). The unit managers of a Group One home reported all twelve young people out of school, and apologetically explained that unqualified residential staff were running classes in the home on weekday mornings in order to improve basic skills. Of the twelve on roll only two were receiving some part-time education provided by the Education Department.

The unit manager of a small children's home reported three out of six young people not attending school regularly; but those who did attend were 'off sick some of the time'. A children's home in the south of the city reported six out of seven not in receipt of regular education, 'only one is attending as a normal child would, and some have no provision at all' (unit manager South). Another unit manager of a South area home reported that out of fifteen in residence they had three attending school; however, he added 'but one of these is excluded at the moment. We haven't got one who attends regularly and enjoys it, - well, that is attends without hassle'. The manager in charge

of a similar home in the North area reported 'only two out of twelve are attending school 'as would an ordinary child', and one of these is on internal suspension'.

All of the children's homes visited in the course of interviewing unit managers, with one exception only, had at least 50% of children not attending school on a regular basis. The termly surveys I conducted for the Education Support Service show a similar percentage not attending; although relatively few were without any provision at all many were in part time teaching units, and of those attending school full time a large percentage were in special education - see Figures One and Two.

#### **6.4 Prospects for reintegration**

The 'closed door' of return to mainstream schooling was a recurrent theme with all respondents interviewed, both within the Education Department and the Social Services. A unit manager interviewed in 1991 commented on the work she had put in establishing contacts with local schools,

'I can still get many of them back in, - but for some the doors are closed behind them. When I try to arrange a visit to the school they can say 'we're full', being a children's home it makes them cautious'.

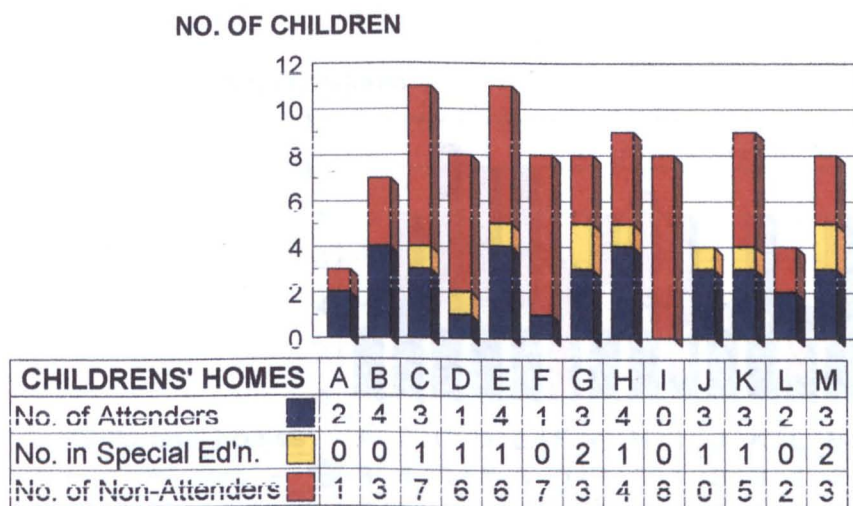
The same unit manager complained at a case conference a few years later that it was 'near impossible to get a mainstream place' for young people admitted to the home. Another unit manager interviewed in 1991 said that getting them back into school was 'harder', but that it was 'easier in the case of the academically able'. From the way unit managers spoke of schools which did offer an available place, it was clear that they felt beholden to the school, (rather than the school fulfilling a duty to meet the child's entitlement): 'Wesley Green accepted him - warts and all!', 'The school agreed to give it a try', 'We were lucky to get him in'. The general view was that return to mainstream school for excluded pupils had become more difficult following the reforms in education, 'It's getting worse - Heads are loath to take them - they're more aware of the trouble they see them as' (Unit Manager, South). A Social Services Advisory teacher pointed out that there were only a few schools in the city that she

# **FIGURE ONE**

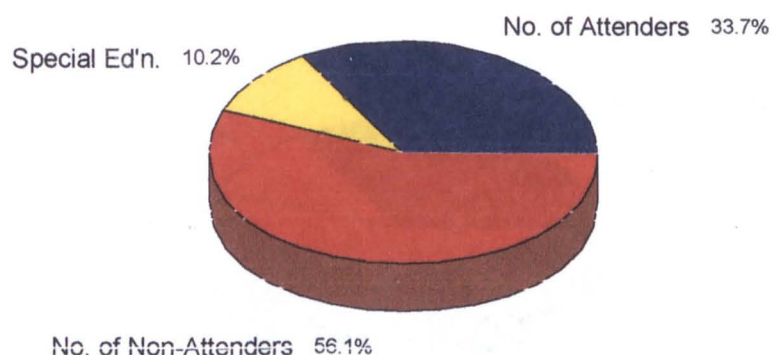
## **EDUCATIONAL STATUS OF CHILDREN IN CHILDRENS' HOMES :A-M**

**December 1994**

### **(a) Attenders/Non-Attenders by Childrens Home (A-M).**



### **(b) Ratio of Attenders/Non-Attenders across all Childrens' Homes (A-M).**

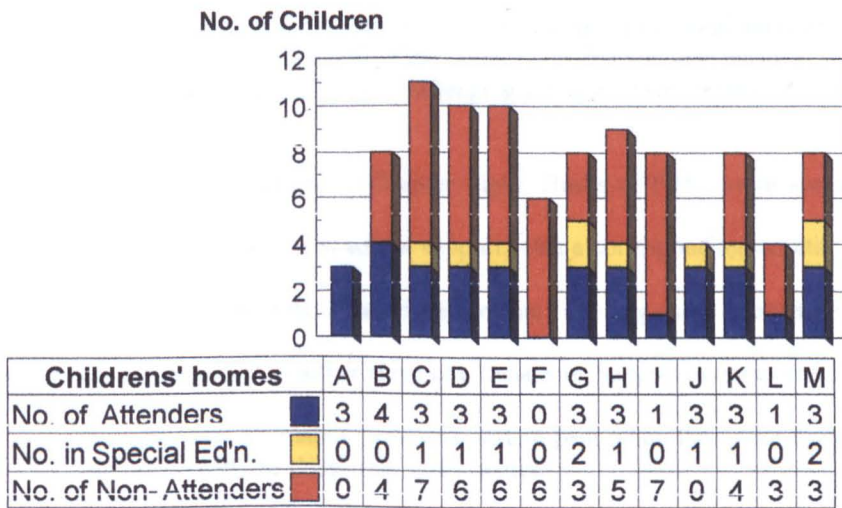


**FIGURE TWO**

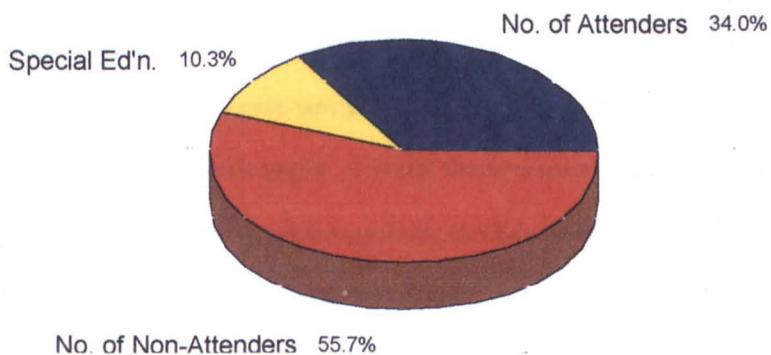
**EDUCATIONAL STATUS OF CHILDREN IN CHILDRENS' HOMES : A-M**

April 1995

**(a) Attenders/Non-Attenders by Childrens home (A-M)**



**(b)Ratio of Attenders/Non-Attenders across all Childrens' Homes (A-M)**





would expect to take excluded pupils without major objections, these were schools that were seriously under numbers and at risk of possible closure.

The perception that reintegration had become more difficult was confirmed by respondents in the Education Department support services. The head of a Pupil Referral Unit commenting on schools' responses observed simply that 'We want to put more back in, but they want us to take more out'. Another PRU Head said that what schools really wanted was a 'mini-bus', which would come round and 'take all (the naughty) children away'. Another Behaviour Support Centre Head put it more forcefully,

'Schools think of us as a punishment - at one end of the continuum every child who breathes out of place should disappear into a hole in the ground - never to be seen again.  
But schools could retain their challenging youngsters within their own premises - that's the 'best end'.

As will be discussed more fully in Chapter Eight, Heads of PRUs were aware of schools' ambivalent attitude towards a greater emphasis on in-school support, with a corresponding targeting of resources away from offering alternative provision. One PRU Head observed that 'working as an alternative and working towards integration are mutually incompatible'. Another Head of a Behaviour Support Service centre stated

'Schools want alternative provision, instant pain relief, they want more dealt with more quickly so they can get on with the things that really matter'.

A very experienced centre Head commented that

'Some schools just want you to fix the behaviour problems, but don't want you to have any contact with the classroom at all. They want you to do 'counselling' in separate rooms'.

Here the onus of responsibility for the difficulties is exclusively with the child. Interviewed in 1993 a centre Head expressed concerns that 'with the declining power of the authority, what schools want counts more now', adding that schools want off-site provision more than they want in-school support.

The requirement placed upon local authorities by the Education Act 1993 to provide 'education otherwise than at school' for excluded pupils gave newly authorised status to off-site units, whilst not stipulating the amount of time they should be offering these pupils. A Social Services team manager expressed a generally held view that 'young people are getting far less provision made by the Education Department than was the case a few years ago'. A Children's Homes unit manager complained that

'Schools send them home if they come in late! They give them the day off! Of course they think this is great. It completely undermines our work - we try to get them to attend and we've got no back up, as schools don't want them'.

The same unit manager discussed other ways in which schools can discourage children from attending, and then resort to blaming the child for 'truanting'. Although asked no question specifically about the issue most of the unit managers interviewed complained that schools failed to let them know when pupils were absent, so that often a pattern of non-attendance had begun to become established. One unit manager described 'the convenience of schools non-response' in the case of both truancy and indefinite exclusions. The more frequent use of short term exclusion as a sanction, coupled with the failure of schools to promptly report truancy, was found to predispose an increase in chronic non-attendance.

It could be assumed that the problems noted in the earlier field research would be rectified by later legislative developments, i.e. the removal of the indefinite category of exclusion and the obligation upon schools to record and to publish attendance figures. However, these changes were not found to have a significant effect in alleviating the problem.

Whilst it was true to say that schools were brought in line with standard procedures more effectively in the later stages of the study, legislation does still allow for exclusion from school as part of the sanction continuum that schools have recourse to; although schools are advised to follow DfEE recommended guidelines. It seems that the response to pupil exclusions at both school and national level is ever *immediate and situational*, and it could be argued, punitive. The Advisory teachers and heads of BSS units interviewed described responses by schools to individual pupils as being predominantly focused upon immediately presenting misbehaviour, rather than questioning the meaning of the behaviour in the context of the background, as the next chapter will discuss in the case of the exclusion of African-Caribbean boys. In the case of the apparent phenomenon of a national increase in exclusions from school, - Ofsted focuses upon schools' mismanagement of pupil behaviour or exclusion procedures, rather than seeking to understand why schools nationally are responding in this way (Ofsted 1997). A consequence of the increased emphasis upon the proper use of procedures has been that procedures have generally been followed more properly, for the increasing numbers of pupils that are being excluded owing to the climate in schools generated by legislative reform; it is doubtful that this constitutes a real improvement.

Discussing the integration of more difficult to teach pupils, the unit manager explained

'Every school wants to become like a public school - to reach that sort of standard. Confronted with a child with problems alarm bells go off and schools become 'full'. As they must keep their numbers up to bring the money in, no one will want to send their child to the school if its not got standards'.

Discussing the need to retain an attractive public image this respondent added

'Then there's the black issue, no one wants too many black kids - a few are ok as it shows 'tolerance' but again these are only those that can manage to reach the standard of work and will conform'.

Whilst unit managers were all in agreement that the reintegration of what have become perceived as 'pupils with problems' had become more difficult, a team manager commented that 'parents who know the system', were more able to get better provision.

Although there was some evidence of support provided by education social workers, all of the Children's Homes unit managers (excepting the one that had no children out of school [3]), reported that schools failed to provide work for the child during the period of the exclusion. More than one unit manager greeted my blandly presented question on how schools support excluded pupils with laughter. Although one home reported that 'if pestered, schools post us some work, but then its done very quickly and we don't know if it's ever marked'.

## **6.5 Findings in relation to the 1997 Ofsted report**

The report by Ofsted on Exclusions from Secondary Schools 1995/96 published in 1997 stressed the level of concern in the early to mid-nineties on behaviour in schools and the relationship between school discipline and the rise in exclusions from school. Citing the recommendations of the Elton Report (DES 1989) and the 'six pack' of circulars on Pupils with Problems (DfE 1994), Ofsted reiterates that 'exclusion should be used sparingly in response to serious breaches of school policy or law' and only 'as a last resort' (DfEE 1997 p.2). The continued marked rise in exclusions nationally, in the face of a tightening of procedures in school and local authority monitoring following the Education Act 1993, begs the question as to why so many more schools have found themselves in the position of 'last resort'. The opinions and experiences of front line practitioners during this period of time, presented here, serve to inform an understanding of the reasons for this.

A team manager interviewed here in 1993 summed up schools' responses to difficult pupils by listing the following:

'It's easier - there's more put out of mainstream schools  
 It's more difficult to return them all  
 Fewer young people are getting full time schooling  
 There's more out of special schools  
 The LEA seems not to be in touch with suspensions 'on the ground'.

The LEA exclusion figures are below.

**TABLE THREE**

**LEA PERMANENT EXCLUSIONS FOLLOWING THE EDUCATION REFORM ACT**

Year	87/88	88/89	89/90	90/91	91/92
<b>Total</b>	167	185	206	228	236

**TABLE FOUR**

**SAMPLE BREAKDOWN BY YEAR GROUP 1991/92**

Year	No. Excluded	% of Total
11	53	22.5
10	65	27.5
9	49	20.8
8	30	12.7
7	8	3.4
6	7	3
5	10	4.2
4	4	1.7
3	1	0.4
2	6	2.5
1	1	0.4
Pre	1	0.4
<b>Total</b>	236	100

Breakdown by year group of previous years shows a gradual increase in primary exclusions.

**TABLE FIVE**

**SAMPLE BREAKDOWN BY ETHNIC ORIGIN 1991/92**

<b>Ethnic Origin</b>	<b>No.</b>	<b>% of Total</b>
<b>White</b>	119	50.4
<b>Asian/Arab</b>	30	12.7
<b>African/Caribbean</b>	80	33.9
<b>Others</b>	3	1.3
<b>Not Known</b>	4	1.7
<b>Total</b>	236	100

110 out of 236 are ethnic minority exclusions  
i.e. 42% representation in exclusions compared with 9% representation in the school population

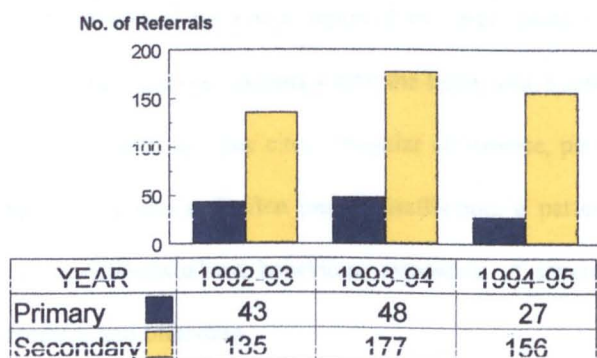
Both Social Services records of intervention and Education Department information show, in keeping with the Ofsted findings, that those excluded comprised: mainly secondary pupils, predominantly boys, and that African-Caribbean pupils were over-represented, see Figure Three overleaf; children with special educational needs and children looked after by the local authority featured particularly highly in exclusions.

It was evident, both from studying case files provided by the Education Support Service and from examples cited by the respondents at interview, that the most common reasons for exclusions were: verbal abuse to staff, violence to other pupils (reported particularly in the case of African-Caribbean boys, where as the next chapter discusses, the excluded pupil had been subjected to racist comments), persistent failure to obey school rules, disruption and criminal offences (usually related to theft or substance abuse) and threats or violence towards staff. With the exception of the latter all of these were reported by Ofsted (1997). Factors evident at a personal level were: underachievement, particularly in terms of reading ability (which was given as a factor predisposing exclusion and inhibiting a successful return to school, by several respondents within the Behaviour Support Service), a negative perception of conventional aspirations and opportunities, the inability to relate adequately to peers and adults,

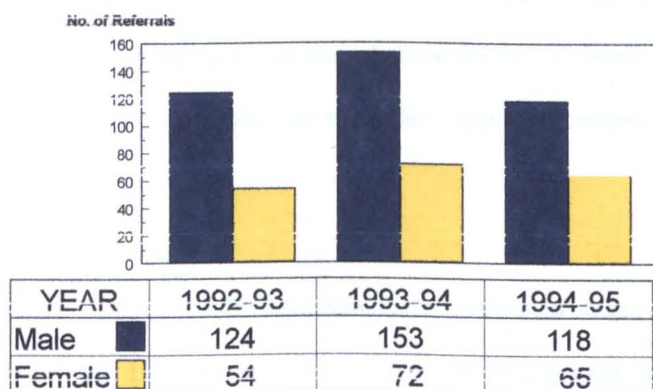
**FIGURE THREE**

**Distribution of Referrals to the Social Services Education Support Service**

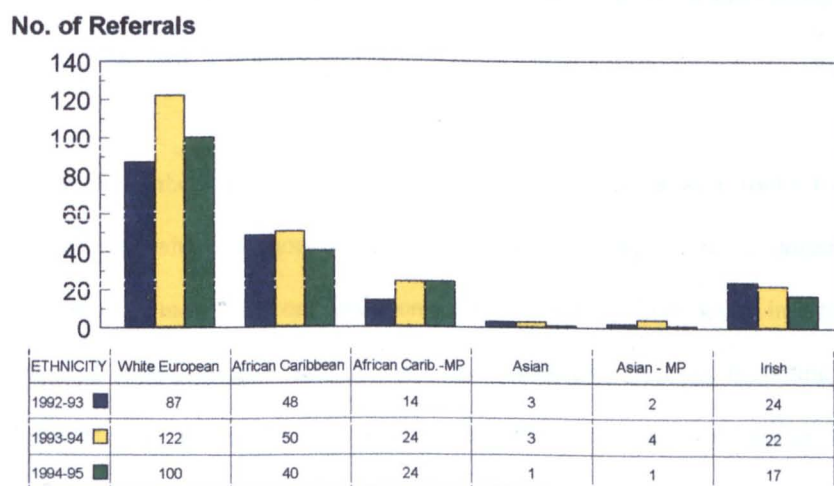
**(a) By Age**



**(b) By Gender**



**(c) By Ethnicity**



poverty, and/or a dysfunctional family. The later two factors were proposed as putting children at risk of exclusion, by Social Services team managers. This affirms the picture presented by Ofsted and other research (described in Chapter Four).

Characteristic patterns of behaviour reported by respondents were very much as Ofsted found. Unit managers referred to case files, and respondents within the Behaviour Support Service discussed examples when asked about the nature of their referrals, they cited: irregular attendance, periodic aggressive behaviour, verbal abuse, strained relationships with adults and often peers, disaffection, a pattern of short term exclusions, drug and substance abuse, inappropriate sexualised behaviour, symptoms of severe emotional disturbance such as compulsive fire raising or soiling, and offending.

While agreeing with Ofsted, that schools can make a difference and that having relative autonomy some schools are able to manage combinations of the above factors better than others, it would be fair to argue that the more predisposing factors and the more developed the patterns of behaviour, the more certain the likelihood of exclusion.

A pronounced trend that became apparent in the later stages of the research, which was reported by headteachers in 1994 and 1995, was the use of repeated fixed term exclusions to the point of them being counter effective, that is the practical consequence of misbehaviour was, for the pupil, a brief holiday from school; several unit managers as well as an Advisory teacher (South) reported in some detail, children acting in a specific way in order to secure another fixed term exclusion.

School and authority collecting and monitoring of exclusions were found to be inadequate, often schools were unclear as to which category of exclusion a pupil was placed on, or indeed if he was excluded or was merely truanting. On more than one occasion what had initially been given in writing as an indefinite exclusion was described several months later by the school as chronic truancy, according to children's home unit managers. However, some improvement in the recording and monitoring of exclusions in the authority was apparent in the

later stages of the research, although this was not accompanied by a perceptible reduction in the scale of exclusion [4].

Describing schools' attempts to manage difficult pupils, Ofsted noted 'a pronounced tendency to clutch at straws' (ibid p.19). It was evident from the information provided by headteachers and the BSS referrals officer that schools generally excluded only after a cumulative pattern of short term exclusions and other strategies had been tried. Although some schools excluded more readily than others, for many 'exclusion was seen less as a sanction than as an act of self-defence by the school' (ibid p.29). All of the headteachers interviewed raised the issue of the lack of adequate resources to address the needs of pupils who are considered to misbehave, within the limitations of their school budget.

#### **6.6 Reasons for increased school exclusions**

All headteachers interviewed reported finding it more difficult to accommodate pupils with special needs, particularly behaviourally disturbed pupils, and were of the view that the support they were able to deploy was not sufficient. There was recognition from respondents in general, that as part of the drive to improve standards schools were subjecting pupils to increased pressures. The Head of a city PRU interviewed in 1993 commented that exclusions were 'an intractable and potentially 'mushrooming' problem', asked why he thought this was so, he replied

'Schools subject youngsters to a lot more pressure, but they themselves are subject to a lot more pressure. They have expectations upon them and everyone can see if they match up - so they have a job to do and that job involves putting pressure on young people. They may not always agree with it but they have no choice'.

Another PRU Head observed

'Generally the education climate is increasingly more directive in terms of schools. Teachers are told what to teach... and have to be more 'accountable'. Therefore they have lost the ability to respond in a spontaneous and flexible way. They have to teach to a tight timetable driven by assessment needs with the DES snapping at our heels in terms of reaching targets'.



The Head of a primary PRU stated that

'We have referrals where the Heads have put on the referral form that National Curriculum work can't progress with this particular child in the class - and that this child is preventing the learning of other children - they can't fulfil their statutory responsibility with this child present.

We have an increase of children excluded in the SATs year, particularly before the SATs are being held, - the Heads are saying -look, this kid is just totally disrupting the classroom situation and its preventing the work of SATs taking place.

Now we never had that before, and I'm sure its connected to the publication of results. They've got a position on the league table to justify'.

The Head of the PRU cited (second) above complained that 'child-centred' had become a 'dirty word', as a consequence

'we are far more interested in what children are being taught and a lot less interested in what children are becoming.

As a result a number of pupils who previously could have got a school place, now can't; because we have to deliver the same sort of thing they've already become disaffected with in the first place if we are looking to return them to a mainstream school.

Its prescriptive, we tell them what they have to be taught, we don't ask them what they are interested in. Its knowledge as dictated'.

Lawton and Chitty (1988) call into question the appropriateness of the term 'national' in respect of the common curriculum, suggesting that geographic and social class factors will make it seem less than relevant to some (p.5).

The Head of another PRU discussed the significance of social class factors in schools' reception of pupils, in a manner touched on by many respondents

'They'd like all kids who wipe their nose on their sleeve to be whisked away from them instantly and put in a big establishment somewhere (probably with high walls all around it!). I think they'd like all children to come from parents who can afford school uniforms and can make donations to the school funds, so that they can have orchestras and a grand piano. So that they can take them ski-ing in Switzerland at least once a year.

Teachers would be comfortable being in these sort of surroundings, and of course they would be being seen to be 'doing well'. Education is set up for the upper and middle classes, it has middle class ethos and expectations. And children from backgrounds where language and literature don't culturally match are outside the favoured group and are more likely to be excluded.

Basically the disadvantaged child is at a disadvantage, and more importantly (as far as schools' responses go) they disadvantage the school'.

Ball (1994) observes that 'the changes produced by market reforms ...will be financially led and will rest upon the self-interest of the institutional employees, who want to ensure the future of their jobs or to achieve greater rewards' (p.107). Ball recognises that schools can manipulate the nature of their pupil group both by selection and 'by using the exclusion option more readily, in order both to rid themselves of 'difficult' students and to demonstrate to potential clients that discipline and safety are taken very seriously' (p.109). He discusses how schools will 'trawl' for the best students on admissions, and filter out the 'worst' students by exclusion; given 'the mechanisms of institutional survival in the market - most crucially competition' (p.107); the 'best' being defined as students with good academic records, good attendance, good behaviour, a mastery of English, and no special learning problems' (p.109).

'Excluded students have their 'choice' taken away from them and are hardly likely to be welcomed by other schools once their 'reputation' is known (ethnic minority students are disproportionately subject to such exclusions from schools in London; Bryant 1991)' (cited in Ball 1994 p.110).

Ball notes that

'unlike most other markets, where the client is matters: quality and reputation are related in good part to the clientele themselves' 'what is being produced as a result is a stratified system made up of some schools which can afford to turn away certain clients and other schools that must take any they can get' (Ball 1994 p.110).

Ozga and Gewirtz (1994) argue that the role of the state in education has been insufficiently analysed and that 'insufficient attention (has been) paid to the deep structures of English education, and to the sedimented patterns of differentiation which so characterise English provision' (p.126).

The central thesis of this study is that the policies and processes of pupil exclusion facilitate differentiation of the education system, via market mechanisms introduced by the Conservative Government which ensure that dependent upon conformity with centrally approved values, certain groups are advantaged whilst others are marginalised.

The study noted the trend in the exclusion of accommodated children in the authority over five years. Despite positive strategies put in place by the Education Department support services there was no evidence of accommodated children experiencing greater inclusion at the end of the study. Unit managers in the early years of the study complained that schools failed to follow proper procedures, whilst schools seemed to more carefully

observe recognised procedures in the later stages of the study, exclusions continued to increase. Respondents in the Social Services reported not only that there was a marked increase in exclusions year on year during the early to mid 1990's, but that the length of time children were without education had increased: 'There's more out for longer', 'time limits need looked at' were typical comments. Social Services Education Support Service data intervention records confirmed that excluded children were generally without schooling for a month or two, in many cases several months and not exceptionally for over a year.

**TABLE SIX**

**Social Services Education Support Service - numbers of cases carried over more than a year without education being resolved**

1992 - 1993	1993 - 1994	1994 - 1995
2	4	4

The increase in the numbers of children offered *part-time* education after 1993, as a result of the restructuring of the Behaviour Support Service, (described in Chapter Eight), masks the full extent of the increase in longer-term marginalisation during the period indicated by these figures, as the Education Support Service would close a case if part-time teaching was secured.

Respondents in the Education Department support services confirmed the picture of more children out of school for longer periods of time (see Chapter Eight). Headteachers interviewed all considered that the developing competitive climate in schools would mean lower tolerance levels, but their opinion of this differed. Some expressed concerns that this could adversely affect the integration of pupils with special educational needs and so restrict equality of opportunity; whereas others thought that separate provision would be more appropriate as it would enable the targeting of specialist resources.

The Head of a school which was aspiring to grant maintained status, discussing the 1993 Education Bill, considered it both appropriate and beneficial that troublesome pupils should be taught in units, even if these should be part-time.

'It's the best place for them, where they can be with their own kind, ...I mean with shared interests and where they'll get more help. They'll not want to do proper work, - for exams that is, they'll just disrupt the lessons'.

The Head of a school with an established reputation in special needs integration saw educational reform differently:

'We don't have a separate 'special needs' group in our school, we do the best we can for all our pupils. All those with statements are fully integrated, I mean they're supported in the class.

But we're getting more requests for transfers of statemented children from other schools who say they don't have the resources and recommend us to the parents. It's 'cause they just don't want these kids....The Education Reform Act is having a disastrous effect on integration'.

The Headteacher of a small inner city school that had forged a respected position in working with particularly difficult and disadvantaged young people, expressed similar views on the 'education otherwise' and the 1993 Education Bill:

'Its a way of 'pigeon holing' them, of clearly separating out the 'trouble makers'. But what happens next? What sort of future are you offering? ....Its a confirmation of status.'

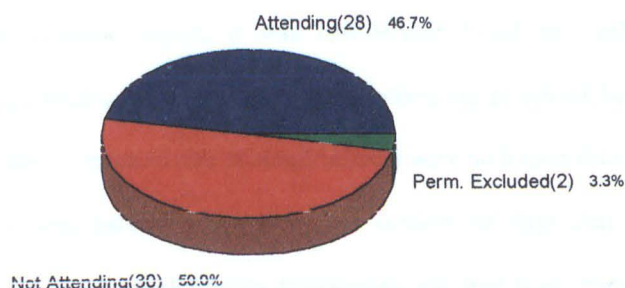
## **6.7 The 'unofficial' exclusion**

In the autumn of 1991 I visited seven Social Services Children's Homes, in order to interview the unit manager. Out of a total of 60 children in residence in these homes, 32 were not attending school on a regular basis. But what was particularly disturbing, was that of these 32 children only two could be identified by the unit managers as permanently excluded from school; all the rest constituted an unknown or unofficial category (Stirling 1992). Numerically this constitutes just 3.3% recorded - see Figure Four overleaf. Later enquiries made by the Education Support Service confirmed that recorded exclusions were a tiny percentage of those found to be out of school; which poses the general question as to the relationship between officially given figures and true numbers not attending, a factor which was frequently commented upon by respondents in the Social Services

'The authority (i.e. Education Department) just doesn't want to know how many of these children are without schooling' (unit manager interviewed in 1991).

## FIGURE FOUR

### **SAMPLE OF SEVEN SOCIAL SEVICES CHILDRENS' HOMES SHOWING ATTENDANCE POSITION-1991**



*Not attending regularly: given as 'three weeks or more continuous absence in any one term, (bar genuine medical reasons); or less than 50% attendance over the period of a term.*

Unit managers frequently complained that when they telephoned the school on the admission of a youngster to their home, in order to clarify the educational situation, the school claimed ignorance, was evasive or misleading. For example, in the case of a pupil admitted into local authority accommodation, who had been out of school for five months, the school said that 'they had no knowledge of the category of exclusion'. At the second enquiry the deputy said he was permanently excluded, but subsequent investigation by the Social Services Advisory teachers found him to be indefinitely excluded. However, the school refused to take him back and the local authority were unwilling to issue a direction; thus he was without an entitlement to another school place (as he was still on roll). Many pupils were found to be in a similarly intractable state of 'limbo' prior to the removal of the indefinite exclusion.

The unit manager of a one children's home commented on 'the convenience of schools' non-action' which he said resulted in a '*non-category*' of exclusion, in which areas of responsibility were unclear. This perceptively describes a practical example of what Bachrach and Baratz (1962) describe as 'non-decision making'. A similar response by schools was described by a Social Services Advisory Teacher, South,

'When schools get problem pupils they turn a blind eye to them not attending, for an easy life. Well what teacher would want them in school?

Complaining of the difficulty that children's homes have getting young people to attend, she added

'Tessa was not in school and her parents phoned us to say why wasn't she in school - they complained, rightly, that if they'd been keeping her at home, if they'd not been sending her to school, they'd have been in trouble'.

Throughout the research period, it was consistently found that officially recorded permanent exclusions represented a very small percentage of the total numbers out of school, being just the 'tip of the iceberg'. The later stages of the research indicated that although schools were no longer able to use the official category of 'indefinite' exclusion, they were carefully 'spending' the number of days that were available under the fixed term arrangements, and thereby discouraging troublesome children from attending, prompting truancy. Unlike a pupil officially permanently excluded the child in this situation has no alternative entitlement as s/he has a designated school, although may rarely attend; thus in this respect the situation is far more difficult to resolve.

The research showed a clear link between repeated short-term exclusions and long-term chronic truancy; this was commented upon repeatedly by respondents in the Social Services and was backed up by registers that all unit managers checked through in answering my question 'what evidence do you have?' (of more children out of school). Pointing to the unit register one respondent observed

'Look, you can see that Donna was attending school when she first came to us. The letter's in the file about the PE kit'. 'Then she was sent home because of the earring - well, it was just a stud, but we told her the school wouldn't like it'. (Deputy) Unit Manager.

This was a typical response to my enquiry. The register showed a pattern of reducing attendance, with absences at points when the unit staff were attempting to re-establish regular attendance, related to short term exclusions that were either official, (letter accessed in file relating to the earring incident), or *unofficial*, for example being told not to come in the next day unless she had a full PE kit. In another case a unit manager cited a telephone message relating to a school trip which was described as 'not appropriate' for the young person to attend.

These respondents considered it crucial not to break the pattern of school attendance, given the external disruption that children looked after by the authority are often subject to. Whilst permanent exclusions were found generally to be a consequence of fairly serious infringements of school rules, or in some cases of criminal behaviour, the

research found that frequent short term exclusions were used more freely and at times for minor infringements of school rules or as a relief for teachers; however, repeated exclusion was found to have a serious effect upon the young person and their family's attitude to the school. One unit manager expressed this as giving the family the message that the school 'didn't want' the child, and described the hostility shown by the parent towards a representative from the school at a subsequent case conference. The unit staff had referred this child to the Education Support Service for a 'change of school'; (a move which this service was always wary of).

The requirement upon schools to publish their attendance figures would seem to have had more a cosmetic than a real effect. The research showed the varied ways that an entry of 'authorised absence' in the register can conceal non-attendance. Stirling (1996) cites examples,

'A girl whose parental note ..explained that she was absent owing to period pains, was entered as being absent on medical grounds for over one term.' 'Similarly pupils offered just two hours a week teaching at a unit were entered as in receipt of 'education otherwise', even though in some cases they failed to attend the unit' (p.57).

Gewirtz, Ball and Bowe (1995) comment on the rise in permanent exclusions in response to market force mechanisms, describing exclusion as the 'quick fix' solution (p.158). They comment too on the practice of encouraging parents to transfer their (troublesome) child to another school, describing this tactic as 'constructive exclusion' (p.158). A unit manager I interviewed in the early stages of the research reported a youngster who had been out of school for eight months up to the start of the new academic year when he was offered a 'trial' place at a school; however, the trial quickly broke down, the school telling him to go back to his original school, where he was still registered, as his mother had been persuaded to withdraw him and find another school 'where he could have a fresh start'. A Social Services team manager described this as 'a catch 22 situation', - where the Head says

'Maybe you'd better find somewhere else for your child to avoid them being stigmatised by being excluded. So they try this, - the prospective school phones the old school and the kid is stigmatised over the telephone. The parents have no power in this. They don't even know it's happened, let alone know what was said. Then the prospective school can use a variety of excuses not to take the pupil, the most frequent being 'we're full'.

In terms of the relative distribution of power, the school has far greater access to information than the parents, who are not easily able to ascertain if a school has in fact got places in any given year group. One team manager reported that when seeking a place for an accommodated child a school had told her that they were full in a certain

year, but she found that shortly after a member of staff at the home had been offered a place in that school for her own child of the same age; this surprised no one.

Ofsted (op cit 1997) also commented that 'the practice seems to be growing of 'inviting' parents to find another school, in lieu of exclusion' (p.21). A Social Services Advisory teacher interviewed in 1995 described a 'not uncommon situation', where a nine year old non-reader had attended three primary schools, being formally excluded from the last one, without being considered for a statement of special needs.

Williams (1994) also notes the practice of 'passing the buck', of moving the burden of expensive pupils on to other schools or agencies

'in a market-led system it is in the self-interest of schools to pass the buck. Whilst schools could play a role alongside and in collaboration with other agencies in supporting children with emotional, behavioural or learning difficulties, the incentive structure of the market encourages oversubscribed schools to shift the burden of responsibility elsewhere. Exclusion, whether 'constructive' or formal, is one mechanism for passing the buck, often leading to 'cost-shunting within and between uncoordinated agencies' (Williams 1994 cited in Gewirtz, Ball and Bowe p.160).

The Headteacher of a school which in 1991 was recognised by those in the Social Services as strongly committed to supporting disadvantaged young people, complained that the Behaviour Support Service teacher offered her only one half day visit per week, and she had eleven pupils needing to see the support teacher; however, she pointed out that nine of these were pupils recently accepted, who had been excluded from other schools, thereby in effect depriving her existing pupils of the resources they needed. Ofsted (op cit) recognised that 'some schools with falling rolls experience severe difficulties, because they are obliged to accept disruptive pupils excluded from other schools' (p.6).

Gewirtz, Ball and Bowe (1995), discussing how market mechanisms facilitate 'passing the buck', observe that

*'The strategy means that undersubscribed schools, which are forced to accept as casual admissions pupils excluded from other schools, are faced with having to support disproportionate numbers of socially and educationally vulnerable children without the resources necessary to do so properly' (p.160 italics in original).*



The Headteacher cited above was to find several years later her school being listed as one of the lowest achieving schools in the country, (TES 22.11.96).

A final form of marginalisation, discussed by Gewirtz, Ball and Bowe (op Cit), akin to concept of informal exclusion developed here, is informal selection; whereby parents recognise the coded messages given by schools admission policies and match themselves accordingly, leading to what Bourdieu and Passeron (1990) term 'self-exclusion'. Or what a Social Services Advisory Teacher, South, referred to as 'knowing your place'

'There are only certain schools we can apply to. Sometimes a parent gets ideas beyond what can be expected, but they learn the hard way when they get turned down. The reality is that children 'in care' have to know their place'.

The hierarchical differences between the schools in the city, although more taken for granted than discussed, were uniformly recognised, and the 'certain schools' that this respondent was referring to were those that received poor Ofsted inspections, were badly under numbers and were in some cases at risk of closure. This comment illustrates the extent of practical 'choice' that, as a result of Government reforms, is offered such families. Stillman (1988) points out that 'Choice between good and bad is no choice at all' - just an exercise of privilege or lack of it; an affirmation of advantage or disadvantage (p.91).

The practical reality of the operation of an education market is that it serves to confirm social class status through inequality of access to provision; rather than improving the schooling and accessing the potential of a greater section of society through promoting equality of educational opportunity.

## **6.8 Variation in exclusions**

The exclusion rates of individual schools should not be taken as a general performance indicator (Stirling 1993a) despite the views of Ofsted that

'Schools and LEAs vary considerably in the rate of exclusions and the extent of that variation cannot wholly be attributed to differences intrinsic in the intake of the school or the population of the LEA area. It is more closely related to the policies and provision of the schools themselves' (op cit p.30).

Ofsted then goes on to surmise that high excluding schools are those which manage behaviour well and low excluding schools fail to do this; the solution therefore is simply to make all schools manage discipline better. This effectively avoids the question as to why, given the marked national increase in exclusions, schools are apparently performing less well, and is certainly incompatible with the Conservative governments claim that the standards in our schools have improved.

Nor are exclusions necessarily indicative of schools' places within the recognised 'pecking order'; (the CEO of the authority in which the research was conducted used this term to acknowledge the growing hierarchy of schools in the city, Aiming High 1993 p.17). Rather the exclusion rates of individual schools are dependent upon a complex interaction of factors, in which local authority and national policy are highly significant features: the ideological commitment of school management, the ability of the school to manage difficult pupils, the socio-economic nature of the school catchment area, its geographic accessibility in terms of extended catchment, and the nature and number of its competitors, are all factors that influence the *outcome* of school policy in respect of admissions and exclusions.

Given relative autonomy a school may choose to adopt values and act in a way which runs contrary to the values and actions promoted by market policy; as some of the examples cited above illustrate, the market delivers the consequences of such action, being a regulatory force. The problems experienced by schools which become recognised as failing to meet the criteria laid down by the Conservative Government, are not inadvertent, but are an intended market feature. 'The first and general lesson is that if you try to buck the market, the market will buck you' (Thatcher 1992 [5]). Hence schools are obliged to conform to approved standards of attainment in terms of discipline and exam results, - this at the practical expense of troublesome pupils.

The Head of the city Behaviour Support Service interviewed as part of the earlier research, recognised the danger inherent in the developing hierarchy in 1990, when as Deputy Head of a comprehensive school he observed that following the Education Reform Act the school population was changing

'although we are a comprehensive we don't get a comprehensive intake, there is the new City Technology College and the GM school just down the road, the net result is that we take what is left over after the cream-off.'

Being 'on a radial bus route from the town centre' he pointed out with concern that the school was beginning to take increasingly difficult pupils, pupils that would previously have been dispersed across a number of schools.

Some schools have more scope for independent policy direction than others, dependent upon what Woods, Bagley and Glatter (1996) describe as the effects of local competitive arenas, the dynamics of competition; what is certain is that the policy of all schools, to a greater or lesser extent, is circumscribed by Government policy. The hallmark of Conservative policy is given as empowering parents to exercise their choice, given a diversified range of schools. The Head of a PRU interviewed in 1993 criticised 'the spurious myth that parents can decide on what is or what is not a 'good' school'. He pointed out that families have to 'fit' the school, and as most parents want the best school for their child, it is generally schools that make the decisions. In their study of parental choice of school in relation to social class Gewirtz, Ball and Bowe (1995) describe the 'disconnected' chooser, for whom choice is predetermined by limiting factors. Yet the language of policy perpetuates the thinly veiled myth of parental power by blaming the irresponsible parent for their failure to exercise choice. The Headteacher of a school that excluded eleven pupils in a few weeks, during the period in which it adopted GM status, asserted that the school's line on discipline was clearly approved by parents as the school was one of the most popular in the city; evidently it was not the most popular with the families of the eleven children, but then it would seem they had made the wrong choices [6].

This understanding of the irresponsible parent is inherent in the views expressed by the Headmaster of Queen Elizabeth School Barnet, in a television programme that I contributed to in 1992, - that parents should not apply to the school for a place, 'unless they had the right lifestyle' [7]. The programme interviewed a mother who had evidently chosen the wrong lifestyle, for although she supported the school and its GM status, she could be identified as working class. Her son had been permanently excluded from Queen Elizabeth, and the Headmaster in his explanation of the reasons for the exclusion reiterated the need for 'the family lifestyle to be in keeping with the values of the school'. The boy was shown succeeding in the more 'suitable' school his mother had subsequently 'chosen'.

Deem (1988) warned that 'parent power may turn out merely to add to the power of those parents who already have access to mechanisms of power rather than those who have little or no access at present' (p.186). Ofsted (op cit) and other research described elsewhere here found that disadvantaged groups, children looked after by the authority, children with special needs and children from ethnic minorities, are most at risk of exclusion. The process of exclusion described by the respondents is shown to be a process whereby schools exercise power in restricting the choice of the miscreant to attend, and all of the respondents were of the view that after a permanent exclusion it was far more difficult for a child to secure another school place. Indeed the 1996 Education Act removes the entitlement of a child who has been permanently excluded twice, to be admitted to a school even though it has places. Exclusion is fundamentally about the restriction of choice.

This chapter has shown the practical extent of choice, indeed the extent of education available to excluded children; it is difficult to avoid the conclusion that the practical application of 'choice' is a mechanism of social selection, driving the education market which Ranson (1990) described as 'more effective social engineering than anything we have previously witnessed'..(p.15).

## Footnotes

[1] 'The country's second largest police force says that the rising number of pupils excluded from school is causing serious concern as they join the army of children hanging around the streets and shopping centres. In a week which sees the first publication of truancy league tables and the continuing trial of two truants accused of murdering toddler James Bulger, the (police force responsible for the city) are seeking new measures to deal with the increasing number of pupils who have no school to go to. In two days last month the force found that more than a quarter of the 'truants' stopped in the city were children who have been suspended or expelled. 'We were concerned at the high number of excluded children' said the public liaison officer. 'Some can be out of school for up to two years.'

Pyke N, 19.11.93 'Police fear growing tide of exclusions' (front page) The Times Educational Supplement

[2] 'Not attending regularly' given as 'three weeks or more continuous absence in any one term, (bar genuine medical reasons); or less than 50% attendance over the period of a term'.

[3] This Children's Home was unlike all the others, being a long stay unit it resembled more a foster home, and was able to be more selective of its intake.

[4] Whilst it could be suggested that a tightening up in recording would have resulted in an increase in an apparent increase in exclusions, respondents on the ground were commenting on a real increase; this was confirmed by the continuing increase in the numbers once the new procedures had settled down.

[5] Thatcher M, September 1992 Speech at the World Economic Development Congress in Washington.

[6] The Conservative government's endorsement of this school was apparent as it was visited by John Major and his wife on the 25.3.97 in the run up to the general election, when it was publicly portrayed as a successful GM school and a shining example of Conservative policy. Reported 25.3.97 BBC 1 Midlands Today 6.30.pm.

[7] BBC2 First Sight: Out of Sight Out of Mind 3.12.92

## CHAPTER SEVEN

### THOSE MOST AT RISK

The thesis argues that Conservative education policy advantages some and correspondingly disadvantages others, so there will be certain pupils identifiable as more at risk of exclusion than others. Research shows that children with special educational needs, particularly those with emotional and behavioural difficulties, children looked after by the Social Services and children from minority ethnic groups, to be those most likely to be subject to the exclusion sanction (DfEE 1994b, Ofsted 1997). Also boys greatly outnumber girls in formal exclusions.

#### 7.1 Pupils with special educational needs

All of the Headteachers interviewed reported that educational reform would not make a difference to their response to pupils with special educational needs, but interestingly they considered that *other schools* would be more reluctant to allocate valuable time and resources to pupils who were difficult to teach, in an increasingly competitive climate. Again interestingly, the Headteachers that were prepared to express concerns that they were finding it increasingly difficult to meet special needs, (see p.131), were those that retained these pupils and by their involvement with the support services had demonstrated a long term commitment to integration.

Wedell (1988) voiced early fears that in introducing competition structured with financial incentives between schools, the Education Reform Act was 'more likely to reduce the range of support available to pupils with special educational needs, and so reduce the range of choice of schools for the parents of such children' (p.109). The Headteacher of a mainstream secondary school with a relatively high percentage of pupils with emotional and behavioural difficulties, interviewed in the early stages of the research, commenting on financial delegation, complained that 'we are far worse off now. We have nothing like the special needs staff or the money (we used to have prior to LMS)'. Other respondents in mainstream schools similarly expressed the view that SEN support resources were suffering.

Respondents within the Social Services complained of the extreme difficulty in securing a statement for a child with special educational needs.

'Statementing is impossible - well, it's the difficulty in achieving this!

We had a kid who was experiencing major problems in junior, and in fact in infant school - we had persistently complained he needed help. They still slotted him into secondary and of course it broke down completely. He was out of school eighteen months. Finally the boy was fifteen when he was statemented. It was too little too late'.

This was a common picture, and often statementing - i.e. a statutory assessment of special educational needs, was delayed for so long that by the time the young person was fifteen it was considered too late to initiate the assessment process at all, as at best this could take a year with further time needed to secure a special school place. Evidently the longer this process can be delayed the more cost effective it is in terms of the authority's deployment of scarce resources.

Discussing special needs and admissions the Head of a PRU complained that

'All of the schools we work with, without exception because we're in a big city, have 'dodgy' catchment areas. They have pockets - 'Henley Park' for example has XX, which is the most criminal road in the country according to the local police,- all of them have some problem areas within a mile or so of the school and should take some of these children.

Many of these children suffer from what we used to call 'inner city deprivation' - poor housing - poor parenting, single parent families and so on'.

This unit Head added

'Take 'Morton Boys', a traditional school with an enclave of middle class - but it has a very bad estate opposite the school. The Head is troubled at the moment with a group of boys who are definitely special needs. Who definitely need remedial help - and they also need everything that special school in the old days would have given them'.

But the problem that many respondents complained about was that their needs were not recognised.

'They aren't deemed statementable. I mean they're not seen as having needs - well they can read and write - at least a bit - but the city won't statement on EBD grounds 'coz they won't behave themselves. They should be in small school with a sympathetic ethos, then they'd function. All of these schools have children like that - every one of our schools does. But the shift I've seen is that they are looking to us more and more to sort these children out, rather than saying it's an endemic problem. It's never going to go away, not until you raise those flats to the ground - there'll always be problem children. So they should put the resources in - instead they target it away - it wouldn't take a lot - but what it does need is committed teachers. It takes a special sort of teacher'.

Respondents pointed out that teachers that were willing to devote time to disadvantaged pupils were generally less valued than teachers who pushed bright students to get 'results'. Asked about special needs teachers the above respondent replied

'Yes, of course the schools have a Special Needs department, but it's lip service really. When the others do their exam work they go to her and she gives them worksheets, it's pretty poor quality stuff as far as I can see; and it doesn't extend beyond the special needs cupboard. Differentiation is only a dream in big classes'.

During the earlier research (Stirling 1991) a Principal Educational Psychologist stated that he had to direct his psychologists not to statement on the grounds of emotional and behavioural difficulties; a situation he was evidently unhappy with. As the research conducted for the present study progressed, owing to the increasing discrepancy between demand and the provision available, attitudes further hardened. Ofsted (1997) found that in comparison with pupils with learning difficulties, schools were much less willing to use the procedures laid down in the Code of Practice for pupils with emotional and behavioural difficulties.

Whilst the authority was reluctant to recognise pupils with behavioural problems as deserving of special resources, respondents persistently reported that schools were unwilling to accommodate children who were difficult to teach. A Deputy Headteacher stated:

'Presented with a child very difficult to teach in a mainstream class owing to behavioural problems, the school can consider two practical alternatives.

Firstly to seek a statement of special educational needs; statemented pupils are an expensive burden upon the authority, so not surprisingly the procedures required by this process are difficult for schools to achieve and are very lengthy. (Naughty children are also considered less deserving). The practical alternative on the other hand, the disciplinary sanction exclusion procedure is not dependent upon external agencies difficult to access, but is relatively autonomous, immediately available and very easy to justify. This allows the school to be quickly and easily relieved of their problem'.

So as this respondent put it, 'exclusions rather than seeking special needs resources, win hands down'.

A recurrent theme, touched upon by all respondents without exception, was the general lateness of the initiation of the statementing process in children's school careers, a lateness which undermined the effectiveness of intervention. Pupils statemented at the age of fourteen, had often been recognised as having emotional and behavioural difficulties in primary school.



One of the case files studied was that of fourteen year old boy who had received little more than a few months education during his entire school career. Finally a place was secured at the local authority day school for pupils with EBD, (a school which was itself experiencing problems). But this placement ended little over a month later in an exclusion in April 1993, and he was left with no education at all until February 1994, when in desperation his mother contacted her Member of Parliament. As a consequence of the attention generated the Social Services Education Support Service became involved. With letters to and from the MP and the CEO a place at a good residential special school was quickly afforded and the boy settled down, was happy at the school and made very good progress.

In the context of the remaining files studied this case was unusual, not in the fact that the child had received so little schooling, there were several other cases which when investigated revealed a similar pattern of exclusion and non-attendance through various schools, with more time out of school than was spent attending. What was unusual was the action taken by the boy's mother, which resulted in expensive and successful provision being quickly offered. It demonstrated the sort of response that seems to be necessary to secure an appropriate school; whereas in the majority of cases, as would in all probability have been the case with this particular boy, at the age of fourteen to fifteen with further delays it could well have been argued that it was too late to go for an out-of-city place.

The Managers of children's homes interviewed commented, in a variety of ways, on the difficulty in securing special educational support. A team manager, listing children in residence in one home noted that one child had been attending a part-time unit for 'three years and the statementing process is still incomplete'. Another unit manager complained that a boy had been out school for ten weeks with no education in sight; he was described by this respondent as having learning difficulties and had been permanently excluded from a local authority school for pupils with EBD/MLD, (which of course should comprise pupils with statements); but it was at this stage, having passed through special provision, that the authority were '*considering* statementing'.

A persistent theme with respondents was the time statements were taking, 'the shortest time would be three to four months, the longest indefinite', this respondent said it would be hard to say what was the longest time as he would have to wait and see what happened to the boy in his third year of being statemented.

In the later stages of the research there was some evidence that those undertaking the formal process of assessment for a statement of special needs were proceeding more quickly, in keeping with the requirements of the Education Act 1993. However, the time lag seems to have been displaced to either end of the process, i.e. prior to the statement being approved and prior to provision being offered. A Head of a primary PRU complained that

'they come to us and they're deemed in need of a statement. But the statement is already written in effect - as it's just a question of considering provision and writing to suit. Yet it still takes a year bearing this in mind!'

Many respondents commented upon the inadequacy of provision available in the city, in relation to the level of need. A Social Services Unit Manager complained

'The hypocrisy of the education department doesn't cease to amaze me. You hear the juggling that they talk about over statementing - the palaver it takes just to get one initiated - when we all know the reality is that we've got no 52 week provision available in the city - and they have no money available to go outside the city.

As there is no out-of-borough places we are talking about trying to solve a resource problem rather than addressing the question of special educational needs.

The policies on paper look OK - unless you take time to look at the reality of the situation. The paper policies cannot be observed in practice because if people were held truly accountable to the letter of the law they'd have an unworkable system, which of course they themselves recognise'.

An obvious omission in respect of the authority provision for special educational needs, which many respondents commented upon, was the fact that the authority has no EBD provision for girls. As one respondent put it, 'Its difficult enough to have special needs, - as long as you're not a girl - then you can't have them because there aren't any schools'. Regarding the over representation of boys demonstrating behavioural problems, an Educational Psychologist commented that this was to do with different modes of social behaviour presented by boys. The Referrals Officer of the Behaviour Support Service observed that while boys were more frequently formally excluded, girls were more likely to 'self exclude' or to become 'school refusers' [1].

Another anomaly in authority provision was that the Community Home with Education, sited outside the city, during the main research period was full of statemented pupils; yet this provision was intended to afford places to

young people needing them on *social* rather than on educational grounds. A Social Services team manager observed that 'because they have a few trees they think they're a therapeutic community'. An Advisory Teacher pointed out that referrals of the more difficult youngsters, with a history of offending, generally prompted the response that they were 'full'.

All of the respondents in the Social Services and in the Education support services interviewed thought that special needs were best met in a mainstream school if support would allow. The Head of a primary PRU observed that 'what counts as SEN is all to do with schools' tolerance levels'. Reflecting on the changes introduced by ERA another PRU Head said that 'We were moving in the direction of meeting needs without stigmatising the child; but ERA stopped us in our tracks'. The Head of the Behaviour Support Service expressed concern at 'the rolling increase in demands for statements', he put this down to a lack of social worker and psychological support and the uniformity of school aims with the 'demise of community education'. All respondents recognised that the reintegration of statemented pupils with EBD was not viable, as one respondent put it, 'it's totally unrealistic'.

## **7.2 Children 'looked after'**

All headteachers interviewed said that they considered children with Social Services involvement more likely to experience problems in school. They could all identify a member of staff who they said would have knowledge of children looked after, (although unit managers were less confident generally in schools knowledge and understanding). The deputy headteacher of an inner-city school interviewed above, described the sort of problems she had encountered with children who were looked after. She commented firstly on children living with their family

'...they have a disinterested or even antagonistic view of education. These children usually have attendance problems which the education welfare officer has to persist with. But the mother often undermines the work we do, - its an uphill battle. Especially where their older brothers are into criminal activities (name/case cited)'

'Their dress is often ... not appropriate for school - which caused conflict (with us). Their sleep patterns are often inappropriate, they will say they've had 'no sleep' because they've been 'out all night' and you've every reason to believe them!'

This respondent voiced suspicions that some of these pupils were abusing drugs or alcohol and that they were coming to school 'hung over' (as she described it).

The process of coming into local authority accommodation was recognised as often a traumatic event by respondents in the Social Services. The above respondent commented

'once they're taken into care, well ...they just 'go off the wall'. They don't usually survive in school, its too much for them ...and us.'

The Referrals Officer of the Behaviour Support Service confirmed that schools saw children with Social Services involvement as likely to present problems. However, discussing reintegration she said that the schools that would consider admitting these children welcomed the active support of the children's home or the allocated social worker. The relationship between being excluded from school and being accommodated by the authority is described in some detail in Chapter Nine looking at the consequences of exclusion, which picks up and develops this issue further.

One group that is consistently over represented in exclusions from schools is black pupils, especially African-Caribbean boys. As the research found a significant correlation between policy developments and the exclusion of black boys, the remaining sections of this chapter address this issue.

### **7.3 African-Caribbean boys and exclusions**

Recent Research on the Achievements of Ethnic Minority Pupils by Gillborn and Gipps (Ofsted 1996), states that 'on average African-Caribbean pupils appear to achieve less well than whites' (p.1), and Black Caribbean young people are excluded at six times the rate of their white counterparts (p.52). The Ofsted report on Exclusions from Secondary Schools found likewise that 'a disproportionate number of black pupils are excluded' (Ofsted 1997 p.6).

The authority in which the research presented here was conducted acknowledge a rate of four times as many African-Caribbeans being excluded than would be predicted given their numbers in the school population (see p.124); in keeping with the published national percentage given in statistics for 1990 - 1992 (op cit Ofsted 1997).

In 1996 the Scarman Centre at the University of Leicester published a research study which showed African-

Caribbean pupils in Leicester to be five times more likely to be excluded from school than white children (University of Leicester 1996). The Director of the Scarman Centre, John Benyon was reported as saying that the findings reflected the national picture and that

'this was depressingly similar to the climate that resulted in the 1985 Swann report on the underachievement of black children and the Scarman report on the Brixton riots in 1981 'concluding that 'the system was failing (black) children' (TES Aug 23 1996).

The Head of the Behaviour Support Service (who was interviewed three times across the course of the research), reported in 1991 that the authority was concerned about the over-representation of black boys in school exclusions,

'It's always been high, percentage-wise. In 1985 the Commission for Racial Equality looked at the situation. Their report was quite damning of (the city). I don't see that the proportions they were talking about in that report have changed. They're still far too high within growing general exclusions anyway'. (See CRE 1985).

This respondent added that the authority had not been complacent and that given the initiatives that followed the CRE report as well as the work of Section 11 teachers, he would have expected to see a reduction in the percentage of ethnic minority pupils in relation to exclusions as a whole, and that this had certainly not been the case. Interviewed in 1993 the above respondent again reported that the Education Department was concerned about ethnic minority over-representation in school exclusions, and that although the authority was 'working on it' there appeared no diminution of the percentage being excluded.

This thesis does not intend to debate whether black pupils have been four, five or six times over-represented in exclusions from schools within the authority, or to compare the percentage with other authorities; it is content to accept that it is recognised both within the city and nationally that there is a problem. Rather it presents evidence to assist an understanding of why this should be the case, within the context of a broader understanding of the meaning of the exclusion process in market policy.

All of the Social Services unit managers interviewed (bar one, as is discussed below) commented that African-Caribbean boys were particularly at risk of the exclusion sanction, although they were not asked a direct question about this. Consistently throughout the research period black boys were found to be over-represented many times; the findings were not inconsistent with the authority records as approximately four times over-representation. The

(white) unit manager of a children's home expressed a general view 'there are more Black British kids being excluded'; examination of the 300 case studies, the Education Support Service children's homes surveys and this service's referrals register confirmed that this was the case.

The unit manager of a Group One home (being himself African-Caribbean) discussing young people generally being out of school more commented

'It's noticeable that a lot of these are youngsters are black and mixed race. Most of these can't read and write, the education system has failed them - on average I'd say they've a reading age of around seven years old, despite being obviously able and articulate. More and more black kids are being thrown out by the education system and more and more are coming into care largely in consequence'.

It is interesting to note that at the one children's home which failed to comment on the ethnic distribution of children out of school all the residents were in regular attendance. Asked about a referral of a child with distinct school-related problems, the unit manager of this home replied that they would not consider the placement as 'there are other homes that take that kind of children'. All of the residents in this long stay home were white, whilst nine out of ten residents in the above Group One home were black (the latter home was always predominantly filled with African-Caribbean boys). The residents in the former home were all in school and had no recorded police involvement, the children in the latter home were all out of school and the majority had recorded convictions or police cautions. (The relationship between exclusions and patterns of offending behaviour will be discussed more fully in the concluding section.)

#### **i) The under-achievement of African Caribbean pupils**

The lack of monitoring of ethnicity in relation to exclusions has long been criticised and by many agencies (ACE 1992, Cohen et al 1994). Despite the fact that 'previous research, mostly locally based, has consistently identified a disproportionate number of exclusions among African-Caribbean males' Brodie and Berridge (1996), argue that 'due to the lack of reliable data' 'research has made an insufficient contribution' in understanding the exclusion of ethnic minority pupils (p.11). Nevertheless, given the Conservative Government's preoccupation with standards and achievement, the lack of achievement of these pupils has been highlighted. The CRE described the DfEE as showing an 'ostrich-like' refusal to address the problem of black under-achievement and criticised the Department's

reluctance to publish research it had commissioned and the findings of which it considered problematic (CRE Chair Herman Ouseley letter to the TES 3.5.1996).

The Ofsted report was released in November of that year and details how 'on average black pupils have not shared equally in the increasing rates of educational achievement' (Ofsted 1996 p.29), and that black pupils were found to be falling behind increasingly, as 'The gap is growing between the highest and lowest achieving ethnic groups' (p.78). Touching on teacher's stereotypical expectations of black pupils, this report notes that their researcher found 'There was a tendency for Asian male students to be seen by the teachers as technically of 'high ability' and socially conformist. Afro Caribbean male students tended to be seen as having 'low ability' and potential discipline problems' (p.55).

Also published in April 1996 were two reports that again confirmed the under-achievement of African-Caribbean pupils. The NFER/AMA study was an analysis of the 1994 GCSE results, showing that black Caribbean pupils fare worst, particularly in maths and science. The second study, by the authority in which the research presented here was conducted, similarly showed only 8.6 per cent black Caribbean pupils getting grades A to C in maths and 12.4 in science (TES April 26th 1996).

The continuing discourse on the apparent lack of achievement of black students confirms the view expressed by the Head of the Behaviour Support Service (op cit), that in respect to race and education, little has changed; Troyna (1984) observed that

'even the most cursory perusal of the literature in this field would show that the notion of black educational underachievement is widely accepted as an irrefutable fact' (p.153).

The field research presented here contextualises evidence of black 'under-achievement' in a competitive market which is structured practically to reward those whose cultural modes conform to the ideologies of the power holders. It is possible to view black under-achievement in two ways. Firstly, an immediate and situational response, to blame the schools for failing in their duty to educate all pupils to a satisfactory level and to question what they are doing wrong. Secondly, given nationally consistent trends, to consider political factors affecting schools' responses; that is to examine the structured inequalities inherent in market reforms which valorise the 'deserving',

and to consider that the performance of African-Caribbean pupils could be largely a confirmation of the status assigned them in the education market.

The black unit manager of a children's home interviewed in November of 1991 asked about 'the future' stated

'Well it's my personal belief that if 'opting out' continues it won't go well for certain groups of child. Standards are imposed by society; racism is one aspect of this - as it all serves to standardise - to reinforce stereotypes. I can't see it getting any better'.

This unit manager went on to touch on the differences between what the families of his residents valued, and the social conformity 'polite society' demanded (dress code, language patterns and so on). Another (white) unit manager also interviewed in 1991, invited to talk about the 'recent changes in education' said 'I don't want to get into racial issues - but inner city schools - those with more black kids, are having greater problems'. He also went on to point out that one of his residents, a very bright black boy, had complained that there was 'never any black boys in the 'A' stream'; the unit manager said he was concerned that the boy would 'want to move down'.

## **ii) Reasons for exclusion**

Respondents in the Social Services and Education Department support services said that the reason given for exclusion typically involved either 'fighting' or 'abuse to a teacher'. Ofsted (1996) reported that 'In the early 1990's disobedience in various forms - constantly refusing to comply with school rules, verbal abuse or insolence to teachers - was the major reason for exclusion' (p.53). Ofsted noted that 'qualitative research frequently points to a relatively high level of tension, even conflict, between white teachers and African -Caribbean pupils' and that teachers perceive them as 'troublesome' and often having a 'bad attitude' (pp.54-5).

In 1992 I interviewed a Community Relations Officer and in 1993 two Section 11 teachers and three secondary teachers in schools with a high percentage of black pupils. I cite the following example of a teacher's perceptions of black boys, one white teacher described the degree of intimidation she felt when confronted by a particular black boy. She explained that she experienced physical symptoms of anxiety when she saw him. She admitted that when in the city centre shopping she would avoid under-passes in case she should be followed by 'a group of them.' This response was generated by the unpleasant experience she had in working with an extremely aggressive boy and his



associates; and by the fact that she had limited contact with and knowledge of the environment in which these pupils lived [2]. This teacher founds black children 'difficult to teach', however it seems that the difficulty lay as much with the teacher as with her pupils.

Throughout these interviews there seemed to be the tacit understanding that black boys as a group are potentially more violent, a factor which was often highlighted in reasons given for exclusion, 'fighting' being especially common. Attempts were made in the interviews to explore what the schools were doing to provoke this response. However it was evident that some respondents thought the response of the child was what we should be looking at. Possibly in order to support the line that black boys are inherently predisposed to violent behaviour one respondent cited the case of a black boy excluded on his *first day* from a nursery school as he was 'impossibly violent'. However subsequent investigation of this case showed that the school was in a predominantly white area and it seems that the other children attending had never before met a black child, the little boy was subject to much (unwanted) interest, the others kept prodding him and asking such questions as 'does it wash off?' The ensuing distressed behaviour on the part of the small black child led to the staff deciding that he was a violent and disturbed child and so they excluded him.

Often during the research period in the case of the exclusion of a black boy, I encountered the response from schools that 'we treat all children the same', possibly a defence against any suggestion of racist factors entering the equation; it was clear that had a white child behaved in the same way he too would have been excluded. But in these situations examination of the case records often revealed complaints by the child, which the school had been unable or unwilling to address, of racial abuse by other pupils. Consequently, when the child wrongly responds to further comments by resorting to physical violence, he is subject to the exclusion sanction.

#### **7.4 Issues underpinning exclusion**

Interestingly in their general study of Exclusions from Secondary Schools Ofsted (1997) found that

'The case-histories of most of the Caribbean children differed markedly from those of others studied for this survey. For example, most of them were of average or above-average ability, but had been assessed by the schools as under-achieving. Although many of them had been excluded several times, their

disruptive behaviour did not usually date from early in their school career, nor was it so obviously associated with deep seated trauma as with many of the white children' (p.11).

Generally during the research presented here, I found that factors to do with the way that the school handled 'name calling' or 'bullying' featured more prominently in the background to the exclusion of black pupils than was the case in the exclusion of white pupils. In many cases the exclusion itself was precipitated by factors that had arisen out of earlier incidents involving the pupil as the victim of racism, or because of what the pupil perceived as a lack of support or unfair treatment on the part of the school. These experiences had affected his manner predisposing him to an exclusion.

The Community Relations Officer interviewed in 1993, in response to my query on schools' equal opportunities policy documentation replied

'They're obliged to have one but the nature of it isn't laid down - most schools have a statement a few sentences long saying basically 'we're committed to equal ops. - but they have no real means of putting this into operation'.

Schools with a strong general special needs ethos were often better at addressing on a personal level the grievances of pupils in respect of perceived racism, confirming that 'Anti-racism is best developed in the context of a policy attentive to the needs of all disadvantaged groups' (Jones 1989 p.159).

Asked about the level of support schools offer black pupils who are seen to be presenting problems, the Community Relations Officer replied

'the pressures on schools are far worse now. Schools need to get good results and so they have to get rid of pupils who mess up their good results. They have low expectations of Afro-Caribbean children anyway (we're always being told they're not as academically bright), and so when they don't achieve this further serves to confirm this belief. It's a self perpetuating self-confirming attitude. This 'justifies' if you wish, excluding more of these children.

It will always be easier to exclude black children, to remove 'the problem' rather than sort it'.

A Section 11 teacher discussing schools attitudes to black pupils and contact with their families observed

'In all these cases the children aren't really being excluded for things they've done, - that might be seen to be the excludable offence - but they're excluded because the school dislikes something in their behaviour or background, or even in their parents behaviour, that they don't want associated with the school'.

The same respondent described how schools could well decide to 'go for it' and get an exclusion

'You get the impression that they've gone round the staffroom with a list asking 'What do you remember, that's bad, about this child?' The purpose is clear to the staff, it's to gather enough evidence to get the child out'.

Tentatively discussing a neighbouring school, which he carefully did not name, a Headteacher interviewed in 1994 discussed how this school had responded to an increase in referrals of African-Caribbean pupils.

'They're losing a lot of good kids, who would previously have done them proud in the league tables; I don't like the phrase, but its 'white flight'. So of course they're taking a firm line on discipline, and they're excluding one black boy after another'.

Several schools, and noticeably catholic schools seem to have got themselves into a pattern of excluding black boys, what one Social Services unit manager described as 'having a good clear out'.

Consistently throughout the course of the research Catholic schools were found to exclude more African-Caribbean boys than other schools. A fairly typical example was given by a Social Services team manager interviewed in 1992

'A catholic school suspended a child recently, because of an out of character assault on another pupil. This was precipitated by racist taunting and racist behaviour. We asked for the girl to be allowed back in (with the appropriate support which we would arrange - anger management and so on), - but we asked also for the school on their part to develop a policy on anti-racism. We sat here till midnight from seven in the evening and although they took on board the comments we made there was no way they would let the girl back in.

Catholic schools have always been a law unto themselves. This difficulty has increased'.

The Head of the Behaviour Support Service interviewed a few months prior to this reported that although Catholic schools constituted 7% of schools they contributed 37% of exclusions. The Community Relations Officer reported that 'The voluntary aided schools are about 20% of the schools in the city, but more than 40% of my complaints come from them. So they cause more than twice their quota of complaints of racism'.

This officer gave me a copy of an unpublished paper she had written in 1992, in which she had recorded that

'Proportionally there were far more complaints from voluntary aided (church) schools than from county schools: one in every 50 county schools produced a complaint in this sample, compared with one in every 10 voluntary aided schools'.

Discussing cases that came to the Community Relations Council this respondent observed, 'its really a very small number in terms of the entire excluded population, but the distribution is I think interesting. Four out of every five are from Catholic schools'.

Stirling (1994) cites an Education Social Workers report for a Governors' exclusion meeting in which the twelve year old boy had argued that the school (which was a Catholic school), was 'racist'

'He stated that he witnessed a situation in registration when a Chinese pupil brought a note from his parents, (as required to explain absence). As the parents could not write in English the note was in Chinese. The boy said 'Mr X (teacher) said I can't read this, tell her to write in English next time!', in front of the class in order to ridicule the boy, the whole class heard it and laughed out loud at the boy.

Perhaps the African-Caribbean boy relating this was able to remember it so well as it later transpired that his own single parent, (both caring and intelligent), was unable to read and write'.

This report contained another reference to a school removing black pupils

'The boy said 'Mr Y (Headteacher) and his staff are using exclusions to clear out of the school all black pupils, especially males.' Just prior to this there had been three black boys permanently excluded from the school. The boy's parent added 'Black pupils are expelled and put on detention more than white pupils'.

He concluded 'The school does not want black children (not of the same religion as this voluntarily aided city school) in the school and is trying to make life difficult for them, or at times unpleasant for them, so they leave of their own accord' (Stirling 1994 p.5).

Mel Lloyd-Smith's comment that schools can use exclusion as a form of 'ethnic cleansing' seems in the context of this evidence to be distinctly appropriate (Lloyd-Smith 1993 p.22).

A study of case histories showed that what is particularly evident in the exclusion of African-Caribbean boys from Catholic schools is a clash of cultural norms: usually there was evidence of schools complaining of pupil's dress, hairstyle and general manner in the months prior to an exclusion, (one black girl was sanctioned for singing in the dining room); whilst the pupils for their part complained bitterly that the school did not address racial abuse, or even that they considered the school to be racist. Respondents in the Social Services, particularly those who were black, were able to point to the talents and abilities of these young people which the school was failing to develop; but their 'cultural capital' (Bourdieu and Passeron 1990) was in the wrong currency.

### **i) Is there evidence of racism in schools?**

Schools were very quick to deny vigorously any suggestion of racist factors in the exclusion of black pupils. The Chairman of Governors of a school that had got itself into a repetitive pattern of excluding African-Caribbean boys, at an exclusion meeting pointed out rather desperately that 'We don't only exclude black children, we've recently excluded someone of mixed race - and he was nearly all white really!'. The most common resort of schools was to state that they treat all pupils the same, meaning that they apply sanctions even handedly. Given the general lack of recognition of racist pressures upon black pupils this was possibly true, with one or two notable exceptions they failed to recognise that not all pupils *are* the same and that some have need for additional attention in certain areas. Ofsted (1996) points out that 'Qualitative studies highlight the widespread incidence of racial harassment' which is 'not always recognised by teachers' (p.4).

Some stated openly that they exclude more black children because they are more badly behaved; a view which it could be argued, exclusion evidence supports. As in the cases described above, the school's expectations were often confirmed. The Community Relations Officer commented

'Often schools complain they exclude more black children because more black children are more badly behaved. Small wonder, when the schools don't help the problems these children encounter; they are in fact causing the problem behaviour'.

Ofsted (1996) reported that 'Research in infant, primary and secondary schools has recorded an unusually high degree of conflict between white teachers and African Caribbean pupils' (p.4).

Although evidence of open racism by staff in schools is uncommon, the level of racist behaviour directed against black pupils by their white peers that they fail to address, can be interpreted by the black child as complicity. For example an African-Caribbean boy who was permanently excluded from school for fighting in the playground, had shortly prior to this incident been called a 'black nigger' by another pupil in the class in front of a classteacher, and nothing effective had been done about it. The pupil's perception was that the school was 'racist'.

The interview with the Community Relations Officer reveals how pupils can arrive at such an opinion. One African-Caribbean boy complained of being referred to in an insulting manner by a white female teacher as 'a monkey'. The parents of the child saw this as evidence of racism, which they considered contributed to the deterioration in the child's behaviour in the class. However it became apparent that the teacher was in the habit of using the phrase 'a cheeky monkey', (a common northern expression when referring to children), in addressing or referring to any child, black or white. It was evident that *for her* this phrase had no racial connotations. Whilst my respondent said she accepted this, she was concerned that the teacher was so insensitive to the child's feelings as to deny that this phrase could possibly give rise to offence and she refused to change her manner of addressing children.

Evidence was found of teachers using such phrases as '*you and your sort* have an attitude problem', when criticising black pupils; one teacher conducting a lesson outside is cited as saying 'Go and stand over there by that tree, that's where you and your sort belong'. A male PE teacher was seen referring to a ('bottom stream') class by making ape-like gestures in the staffroom, to the amusement of his colleagues. Such examples reveal under-lying attitudes that black pupils easily sense. Throughout the course of the research there was evidence of white teachers interpreting the manner, body stance, dress and language patterns of black students as challenging. One of the case files used in the research contains an example of an exclusion which would not have happened had the pupil been white. An African-Caribbean boy was permanently excluded for refusing to comply with the school rules on appearance. Neatly cut into his short hair he had two lines. His father, not unreasonably, pointed out that had his son been white a parting would have been quite acceptable to the school. However African hair can be sculpted into decorative patterns, non African hair cannot. The school clearly saw this 'parting' as leading to other things, and so excluded the boy. There were no other factors to support the exclusion, such as a history of misbehaviour, the exclusion was on the above grounds alone.

Underpinning the exclusion of black pupils was generally a deterioration in the relationship between the child and the school which centred on factors of race and racism; however the school's response focused on the immediate presenting behaviour, and it is easier to remove the recalcitrant and troublesome victim of racism than to address the culturally embedded causative factors.

Invested in the curriculum common to all schools is a sense of nationality and nation; 'Thatcher talks about 'British character', Baker about 'our children' and Foster about 'our own race' (Hardy and Vieler-Porter 1988 p.177). An idealised image of the British nation is a homogeneous picture with white children dressed in school uniform and this is visible evidence of 'standards' being upheld. Jones (1989) points out that for many to promote multicultural values is to deny the superiority of the English culture and heritage and refers to a Monday Club pamphlet which argued that anti-racism was 'an indictment of a people, the white British, and their way of life' (p.53). Positive action against discrimination was seen as overturning British fair play.

The sort of examples cited in this chapter are all too common, and could be enumerated at length. Given ample evidence from a range of authoritative sources of the over-representation of black pupils in the increasing population of the excluded, the balance of this thesis focuses on a theoretical analysis of the process of disempowerment in relation to market policy; considering who is disadvantaged by the thrust of policy direction and to what effect. Bourne, Bridges and Searle (1994) discuss the exclusion of black children in the context of the educational reforms of the late 1980's and early 1990's; arguing that a competitive market exacerbates fundamental existing inequalities. Favouring certain parents with 'choice' has 'undermined the more fundamental right of each and every child to education' (p.10), as children whose parents are less able to 'play the market' or are rejected by the system, find themselves without adequate schooling (a situation for which they themselves are held to blame). Bourne et al point to the separate provision authorised for excluded pupils (PRU's), as fundamentally discriminatory, perpetuating the perception of the 'undeserving' classes (see also Stirling 1993b). Bourne et al describe what they terms a 'culture of exclusion', which has developed in past years as parents strive to secure a place for their child at the most *exclusive* school that they can get. They conclude that the education market has reduced children to the level of exchangeable commodities, black children being of intrinsically lower value in the exchange rate.

## 7.5 Conclusion: a confirmation of status

The premise upon which market mechanisms rest is that resources should be targeted towards those most able to take advantage of them, privileging the deserving; as Gewirtz, Ball and Bowe (1995) point out, the logic of the market is that less able or disadvantaged children will increasingly be viewed as a liability in the marketplace and that resources will flow away from them. Children with special educational needs, children looked after by the Social Services Department, children from poor families and children from the black community are at greater risk of being educationally excluded.

Earlier the thesis pointed to the under-funding of education in the city, citing a report which describes the state of some of the city schools as 'appalling' or 'in a shocking state' (Aiming High p.31 and p.48); Chapter Nine also describes the remarkable dereliction of one particular Pupil Referral Unit. It should not come as a surprise to learn that many if not most of the children identified as having behavioural difficulties come from poorer families or that run down inner-city schools contain a high percentage of ethnic minority pupils; this illustrates what Jones (1989) and others have criticised as the 'two nation state'.

'The government is creating an economy and a political system based on the principle of two nations. It thrives on the promotion of inequality' (p.184)

It is a system which is not only unequal in outcome, it is *unequal in principle*; the means, - the unequally structured competitive market, as well as the end, - a hierarchical system of schooling, are invested with fundamental inequalities. The research finds that culturally loaded market mechanisms 'drive' the large numbers of exclusions of disadvantaged pupils. It sympathises with the view of an expert witness to the city Education Commission that 'the education system has been disastrous for the majority of black children in Britain' (P.46), arguing that a competitive education market has been disastrous for many children who are vulnerable on account of their race, disability or their social class.



## Footnotes

[1] Clearly there is need for further research in order to more fully understand the reason for the over representation of boys in exclusions from school. As the focus of this study is *Government policy* and exclusion from school and it would seem that there are strong factors other than policy at work here, this is an area that the thesis has chosen not to explore.

[2] Some of the data presented in this section was quoted in Stirling 1994

## **CHAPTER EIGHT**

### **BEHAVIOUR SUPPORT SERVICE**

This chapter reports on the functioning of the Behaviour Support Service (BSS) in the city authority, which has responsibility for pupils excluded or at risk of exclusion from schools. It describes a shift from providing off-site provision, to providing a whole service intervention for schools. As Ofsted found to be common in other authorities, there developed 'an inevitable tension between reactive and preventative work' as the service was in the position of being 'stretched by the major statutory functions and responsibilities they faced' (Ofsted 1997).

Interviewed in 1993 were nine Heads of Centre, the referrals Co-ordinator and the Head of Service (with whom three interviews were conducted between 1990 and 1995). The BSS staff were asked firstly how they viewed the change of service, they were asked about their referral system and if their pupil group had changed, then they were asked about the success of integrated working and finally how they saw the future of the service.

#### **8.1 The change of service**

The structure implemented by Easter 1993, was described by the respondents. The city wide service was divided into three areas, each offering a range of provision from three centres: a primary age centre, a longer stay centre and a short stay/mainstream support centre. A wide range of children was being worked with, both pupils being psychologically assessed pending a statement of special educational needs, as well as pupils excluded on behavioural grounds. The service comprised the former home teaching units as well as the old exclusion units and had been newly designated as Pupil Referral Units.

The new structure was seen as a logical and cohesive way to offer the service across the city, by all those interviewed. The main change in its work was the progressive shift of emphasis to a school support service rather than being, as previously, a range of units for excluded pupils independent from schools. Heads of Centre

expressed the opinion that the old system had been virtually self governing, consequently there had been considerable loss of autonomy for the units when they became part of a united service. Nevertheless the need to offer a rationally structured service was recognised and this was considered to outweigh any loss of individual sovereignty. On being designated PRUs, it was strongly felt that the emphasis of the units should remain that of returning pupils to mainstream schools.

Centres that had previously offered full time alternative provision were working with schools with a view to reintegration. Consequently they offered part-time unit provision often on a fixed term 'contractual' basis for pupils who were not permanently excluded. The Head of Service explained

'We're moving more towards, if you wish a 'contractual agreement' with schools - that our intervention has got to be based on a mutual understanding of a) what the school are going to do and b) what the service will provide. How long we are going to provide it for and what the school actually want.'

There was a general recognition of the value of preventative working, early intervention and consequently a trend towards working with a younger age range than had previously been the case.

However, it was noted that the service was defining its remit more closely, and it was explicitly stated by one head of centre that the service was now 'not able to accommodate pupils who previously would have survived in the units.' The reason for this, it was explained, was that the centres had to offer a similar ethos and curriculum to that of the mainstream schools they supported. Disaffected pupils it was argued, have already rejected this. 'We're not an alternative,' this head added 'we're a kind of mini 'secondary modern'. Some respondents wondered what was happening to these youngsters 'beyond the remit' of the support service.

Further, at a time when the demand from schools for support had it seems, never been greater, the service offered has had to become smaller. Not simply by the halving of in-centre provision, as with no extra staff this was necessary to allow existing staff time to work with schools but also by the closure of two centres. The service previously consisted of eleven centres and they were reorganised as nine.

## 8.2 The referral system

The key to the change of service was the central referral system. Previously referrals were made direct to unit heads; whereas by 1993, with the exception of requests for in-school support, referrals were taken by the referrals co-ordinator who was assisted by a team of three referrals teachers, one for each area. This ensured that the referral fell within the remit of the service and that they were directed to the appropriate centre. Thus the role of each centre was clearly established. Similarly the purpose of the intervention could be laid down at the outset, and what was in effect a contract of involvement agreed. Consequently a return to school date could be 'written in' to the agreed package. In the case of permanently excluded pupils, a return to another school could be facilitated by assuring the school of the necessary in-school support.

As plans for a return to school often formed part of the acceptance of the referral, a degree of successful reintegration was built in by the referral system. One clear advantage of a central referral system was that it enabled records to be kept centrally and the service to evaluate the success of their changed focus, responding to their critics and to the persistent call for increased off-site provision, by demonstrating that more pupils had been successfully retained in mainstream schools. Parsons (1994) illustrates the cost effectiveness of such a policy.

All respondents stated that referrals had increased; the demand was described as being 'far heavier'. Heads of centre complained that they had reached 'saturation point' and needed to manage their waiting list carefully. It was evident that pressure of referrals was greater than the service had the resources to meet. One head of centre commented that it was 'a particularly difficult time, given the 'climate of exclusion' that is developing'.

All centre heads noted the increase in younger referrals. However as one head pointed out, 'this is not as a result of a difference in referrals but is a BSS policy decision'; that is, referrals are selected according to set referral criteria. Demonstrating that as professionals they do not merely fulfil a service, but they shape the nature of that service by defining the role they fulfil and the needs they meet. The head of a longer stay centre observed,

'If you tell people you exist you excite a response. A lot of schools, particularly primary schools, that didn't know we existed before now know what's available. . . But all those pupils were exhibiting all those problems before, it's just that schools coped - or had to cope. So there's a lot more guidance work in primary and I think a lot more excluded pupils in primary.'

At the other extreme, heads of centres who had previously catered for suspended pupils expressed concern at the growing numbers of 'very damaged' youngsters being referred to them. They pointed out that they were not a resource such as special school and were unable to meet such needs. The nature of these referrals suggested that a request for placement pending assessment of special educational needs, could be for the school a 'back door exclusion' and for the authority a cost effective delay in having to offer expensive special schooling.

One significant factor in the referrals criteria respondents pointed out, was the refusal to accept 'indefinitely' excluded pupils and the requirement, to be enforced by legislation, that the exclusion status be clarified as either time limited or permanent in order that the service could work to a plan. Recognising the persistent rise in exclusions over the previous years, the referrals co-ordinator commented that officially processed permanent exclusions seem to have reached 'a plateau, if a high plateau'. But another respondent stated that there had been an alarming increase

'maybe not the numbers of exclusions, but the numbers of pupils who are either pending exclusion or are temporarily excluded. So maybe the actual number of recorded permanent exclusions hasn't risen as rapidly as it feels, from our end ..but it's the whole population that has.'

In response to the query as to why referrals had continued to increase, respondents explained that circulars had been sent to schools updating them as to the service offered; this had attracted a response. Further there had been a reduction in other services for these children, such as education provided by the Social Services. But most respondents stressed above all the 'pressure of SATs' and the need to publish their results, which was thought to largely account for the great increase in referrals across the primary sector in particular. This was described by the Head of Service as putting such a strain on premises resources, that it led to primary centres seeking to use mobile classrooms.

Although three quarters of referrals to the BSS are accepted and actively worked this gives little indication of the actual numbers of children without schooling. Referral agencies, such as ESWs, EPs and Social Services Advisory Teachers recognise the referral criteria and are discouraged from making inappropriate referrals. There are children without *any* education that fall outside the remit of the BSS. For example long term 'non-school attenders' and pupils excluded from special schools.

The head of a Pupil Referral Unit described the referral system in the following way.

'The current referral system isn't really a way of directing children to us who have a need. It's really a way of filtering children away from us who it is thought will not be able to respond to that which we have been told we have to offer.

We have to match up with the ethos of schools. I have to attempt to restore pupils to mainstream education. So the referral system filters out those pupils who are not going to be able to do that.

Previously of course we assumed that they were here because there was no way that they could ever be part of the mainstream education system!

So the filter ensures that we receive only those children who we can do that with and not those we can't.'

As the BSS cannot be a 'catch all', and the Social Services Education provision in the city is reducing, those beyond the remit of the service, those 'too high up the tariff', are left with no education at all; there is a group of youngsters who fall outside the 'safety net'. This is inconsistent with the basic requirement placed upon Education Authorities to provide a suitable school place for all school-aged children.

### **8.3 The nature of the pupil group.**

The head of service said the broader range of children catered for was the main difference between the BSS and previous provision of separate suspension and guidance units. However this did not seem any broader than I found when I previously conducted research in these units (Stirling 1991); rather the focus had clarified. Certainly mainstream schools were receiving more support for pupils on their roll. But there was evidence that at the opposite end of the spectrum the service was unwilling to accept young people who were difficult to place. Those who had passed through special provision could not be considered for a return to mainstream and would not be placed for the purpose of an assessment of special needs, i.e. they would not fall within the BSS brief, as the service, being interim provision, would not be working to a purpose other than containment. Realistically such a clearly defined service cannot cater for every need.

The head of a KS 1 and 2 centre pointed out that he has been asked to serve 108 junior schools with just 4 staff. Clearly therefore the service needs to focus its work where it was likely to be most effective, and to fulfil the role designated by the authority. The difference that every head of centre commented on was that the service was increasingly working with younger children as earlier intervention was recognised as a sound policy. The head of a longer stay centre said 'I've had fewer Year 11 children this year than I've ever had,' stating that these were down by a half. She queried where these youngsters are going, adding 'it's not like one BSS unit has a bulk of Year 11's. They're obviously going somewhere else.' Her numbers in centre were in no way reduced, quite the opposite in fact. She observed that over the past few years the age range had been coming down, and that they worked with KS 3 and 4, but fewer of Year 10 and 11's. She explained that 'Normally over a quarter of the group are Year 11's; Or it has been over the last couple of years. Before that of course it used to be *exclusively* Year 11's.'

This trend would be less significant had the city opened other provision for these youngsters. This had not been the case. The head of an ex 'suspension' unit reflected that the curriculum offered in these units could be adjusted to suit the child and thereby they could accommodate even the most difficult youngsters. However as the curriculum now had to be tailored to that of mainstream schools, this accommodating flexibility was no longer possible. That children were now beginning to be excluded from this provision for excluded pupils my respondent saw as indicative of a problem. He added 'I can well imagine it will soon be necessary to develop a Behaviour Support Service support service!'

This respondent also observed that more pupils were refusing to attend than used to be the case. Although it was thought appropriate for the BSS to terminate the offer of provision for non-attenders, the research found that there was then no service responsible for the education of these children.

Only when I drew the attention of centre heads to the issue of racial factors in the composition of their pupil group was it mentioned at all. Those heads I asked in response to my query estimated that African-Caribbean and Asian children constitute almost half their numbers, (given as 30% and 20% respectively.) Yet there were no black staff within the service nor were my respondents aware of a member of staff who had responsibility for this matter.

Every head of centre commented on the fact that they were seeing far more pupils being assessed for a statement of special educational needs. Some complained of the difficulty in managing children with often quite severe emotional and behavioural problems alongside streetwise excluded pupils. All heads expressed concern that this assessment period in all cases took longer than the DFE recommended six months. One head, with 32 given as the number 'on the books' had 16 on special assessment and most centres reported this to be the case with more than a third of their pupils. The referrals co-ordinator broke down the BSS pupil population in the following general way: a quarter 'school refusers', a quarter SEN assessment, and half excluded from school. Of the half excluded, 30% were given as permanently excluded and 20% as on a 'guidance' package, i.e. an agreed fixed term exclusion. However she did add that there was some overlap as many of those permanently excluded were also undergoing SEN assessment.

As one head put it 'there is no point in hurrying the assessment, as there's nowhere to put them. So they just stay here. Many have been here well over a year'. Another head of centre observed

'SEN assessments are taking an inordinate length of time. I'm told by the Ed.psych's that they don't like doing them because they know there are no resources available when they've finished them and anyhow the child is happy here so why rock the boat?'

This head gave the shortest time statementing was taking as a year and the longest as over two years and still awaiting provision. Other centre heads gave the same information. They pointed out that statements are already written in effect according to special provision. 'The city's primary provision is pathetic. It's devastatingly poor the EBD provision' This head had six children younger than Year 11 who have been at the centre longer than a year. None of the respondents knew of a child statemented on EBD grounds in a mainstream school in the authority.

With the requirements of the Code of Practice the time taken to complete the statement has generally shortened although many still take far longer than stipulated time; however, this is largely a paper exercise, as given the waiting lists for local authority special schools the delay in awaiting placement is the same. The length of time these children are spending in unit provision would be less worrying if they were receiving full time education. Heads of centre all reported children being assessed for a statement as receiving less time than those for whom a



return to a mainstream school was planned, some citing five hours tuition a week being offered at their centre for certain pupils. The minimum time offered such pupils was found to be three hours. The referrals officer acknowledged that the majority of these children receive just a few hours a week. While primary centres said some mainstream schools offer part-time education on top of the hours offered by themselves, this very often breaks down. Given that the BSS has on its books over 400 children at any one time, a quarter of whom are awaiting SEN assessment or placement, there could be over 100 children in the city whose special educational needs have not been adequately met for over a year.

The view of the BSS staff was perhaps best expressed by one head, 'This is a cheap option for the authority - fob them off with 6 hours instead of the full special school provision'. In different parts of the country the local government Ombudsman has found in favour of claims by parents for compensation for their child, whose special educational needs have not been met by their authority (Guardian May 10.1993). There were some children in the city in which the research was conducted coming into their third year awaiting provision. The Head of Service told me 'At the moment we're carrying 15 statemented children who should have special school places and even more worryingly we've got 45 children who are virtually at the end of the section 5 assessment who I can see again have no prospect of a special school place'. Most children receive less than half time education and unit provision, which can offer only a very limited curriculum can all too easily become permanent provision.

The following data was provided from the Behaviour Support Service Central Referral Records.

#### TABLE SEVEN

<b>Number of referrals</b>	
Spring term 1993	158
<b>Number of assessment pending placement ( SEN ) on books.</b>	
Snapshot 2nd April 1993	43

**Number of pupils on books in year groups.**  
**Snapshot 2nd. April 1993**

Year	No. of Pupils	Percentage
11	127	29.1
10	88	20.2
9	74	17
1 - 8 inclusive	147	33.7
<b>Total</b>	<b>436</b>	<b>100</b>

**TABLE EIGHT**

**Destinations of pupils leaving BSS provision.**  
**(Sept - April 1993)**

	No	% of total worked
Returned to own school	52	8.4
Non Co-operation ( BSS unable to engage pupil )	47	7.6
Special school	30	4.8
New mainstream school	20	3.2
School leaving age	17	2.8
Misc	17	2.8
<b>Total number of leavers</b>	<b><u>183</u></b>	<b><u>29.6</u></b>
 Total numbers on books (2nd. April 1993)	 436	 70.4
Total numbers off books Sept - April	183	29.6
<b>Total numbers worked Sept - April</b>	<b><u>619</u></b>	<b><u>100</u></b>

The data shows that during the Spring term there had been 158 referrals. Although data had not been held in the same way prior to the reorganisation of the service the referrals officer reported that the units had experienced an increase in referrals in the order of one in three in the past year. 43 pupils were given as undergoing statutory assessment, which was approximately one pupil in ten on the books in April. Pupils in Year Groups 1 to 8 comprised a third of those on the books. Of the remainder Years 11 and 10 comprised the greatest numbers.

Of pupils referred between September and the start of April 8.4% returned to their original school, 3.4% returned to a new school, 4.85 % returned to a special school and 2.75% passed school leaving age. 2.75% of pupils proved non-cooperative. Between September and the end of March only 29.56% of pupils referred to the service had passed off the books. As this is designated interim provision this 'carry-over' of longer term pupils would clearly have an impact on the viability of the resources.

#### **8.4 Integrated working**

The commitment to aims of integrated working had been adopted by the whole service, with staff in the two shorter stay units in each area spending 40% of their time in mainstream schools and staff in the long stay unit spending 10%. The referrals co-ordinator pointed out, there was no full time alternative education provided by the service; as staff spend time in mainstream schools this meant a reduced working week was offered children at the centres. The maximum number of hours offered per week was 15, for those children considered 'groupable'. Those taught in small groups were generally offered 10 hours and those needing individual 1:1 sessions were offered a maximum of 6 hours but this could be as little as 3. There was some necessary variation between the centres as to what they were able to offer. The curriculum had become the same, as far as possible, as they would have been receiving in the mainstream schools to which they were expected to return.

The interviews with the BSS staff revealed their views on the quality and quantity of education offered.

1. In relation to the changed curriculum, staff stressed that the 'baseline' is a return to school, indeed increasingly referrals were being accepted with a prefixed return date. In order for this to be a viable prospect the child had to have continuity in what was taught following the national curriculum, SATs were administered in the mainstream school if the child was still on roll.

All the BSS staff expressed misgivings concerning the curriculum. Unit heads observed that referral documentation forwarded by schools often gave as one of the main reasons the child could not be worked with in school was that

he could not cope with the national curriculum as it was being taught to the rest of the class. Now, as some heads of centre were quick to point out, the prescription was more of the same. Further staff expressed reservations as to how realistic it was to attempt to cover the national curriculum with just four teachers in each centre in what is often just a few hours education a week. Nevertheless staff were in an invidious position, as if they failed to offer an adequate national curriculum return to mainstream would become impossible as the child 'couldn't cope because he's missed so much' 'the child would have a *curriculum deficit* which would present management problems'. However one head noted that delivering a more academic curriculum meant he could no longer engage certain pupils that previously he felt he would have succeeded with, and their behaviour had deteriorated or they had absented themselves. Some pupils had the offer of BSS provision withdrawn 'as they were unable to benefit from it'. Arguably it would not be appropriate for the BSS, being a mainstream support service, to be primarily concerned with offering a successful *alternative* to mainstream. Respondents pointed out that working with those returning to school and those being successfully engaged as a long term alternative is unmanageable in the same group. In practice the ethos of reintegration and alternative education are mutually incompatible.

2. Secondly the amount of time for which children received education emerged in the interviews as a matter of concern. In order to meet the needs of integrated working, staff hours in centre had been reduced. As one head put it 'this of course has the serious effect of reducing the time available for all those pupils who have *no school at all*'. The maximum time offered to any pupil was, as the referrals co-ordinator confirmed, 'something approaching half timetable'.

Staff in six of the centres spend 40% of their time in schools, yet as Figure Five indicates and as the referrals co-ordinator informs, just 15% of the numbers on their books had been returning to mainstream school. The remainder went on receiving less than half time education a week, this in some cases for over two years unless they truant or have their offer of a place withdrawn, in which case they receive nothing at all. One head of centre gave a breakdown that seemed fairly typical, '70% will see their time out with us, 12% truant and 18% we manage to get back to school'. The figures provided by BSS central records given in the previous section, (8.3 above) are consistent with this view.

The Head of Service interviewed at Easter 1993 complained that 'We've just had a very large clutch of Year 10's (permanently) excluded in the last fortnight. I doubt very much if we are going to be able to get these back into mainstream schools'. In practice most Year 10's and all Year 11's remain with the BSS until they reach school leaving age. Yet this age group has always constituted the majority of referrals. Special needs assessment is not considered by the time pupils have reached this age 'owing to the time it takes to get a placement.' Of those awaiting special school provision many can be very young, these fare especially badly. Being in many cases considered 'un-groupable' in the BSS they can receive less than 6 hours a week for a year or more while they await a special school place.

The data provided by the heads of centre are given in Figure Five overleaf, showing numbers on their books and numbers being reintegrated. The latter figures need to be viewed with a certain caution as they were generally prefixed by my respondents as 'hopefully', 'we're aiming to try', and so on. Also integration is a process rather than a state and consequently numbers give little indication of the success or otherwise of the process.

Children's homes unit managers were doubtful about the change in service away from predominantly off-site provision to a mainstream support role. One described in some detail the system run by the centre one of their pupils was attending

'The kids start in the B group - that's 12.30 to 2.30 every day for the first two weeks.

If they fail in that they go to the C group, which gets one hour a day only.

If they succeed they move to the A group which offers them teaching from 9.00 till 12.30 and in the afternoons the A group gets activities, so it's pretty well full time'

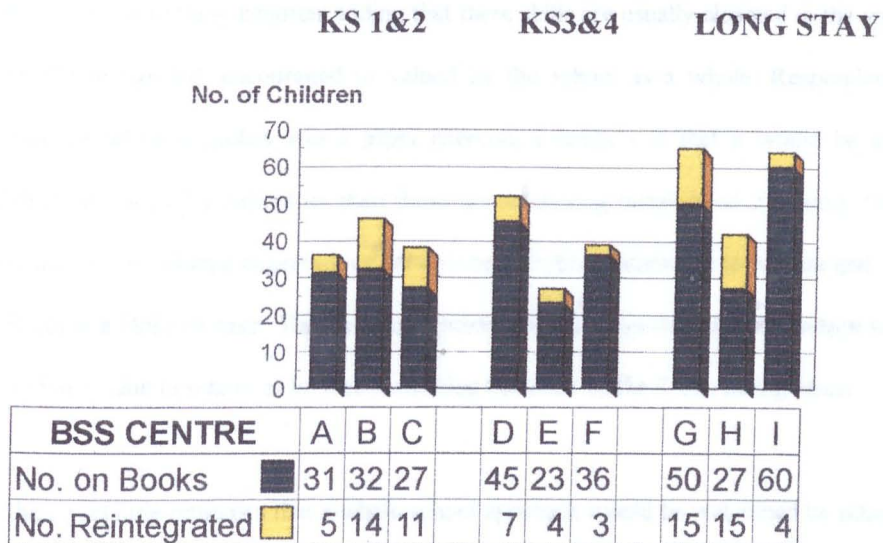
This respondent was ambivalent about this, he recognised that those who were better behaved might deserve more, but he pointed out that those with the greatest need of teaching would get the least and would have the most time on their hands to get into trouble.

This practical example serves as a perfect illustration of the debate on the equitable distribution of scarce resources, whether the allocation of education should be desert-based or needs-based. Clearly there are different views; but then there are different outcomes dependent upon which policy is adopted and as the concluding section will argue accessing education on a desert-based premise might benefit the service providers and favoured clients, but the marginalised will constitute a problem.

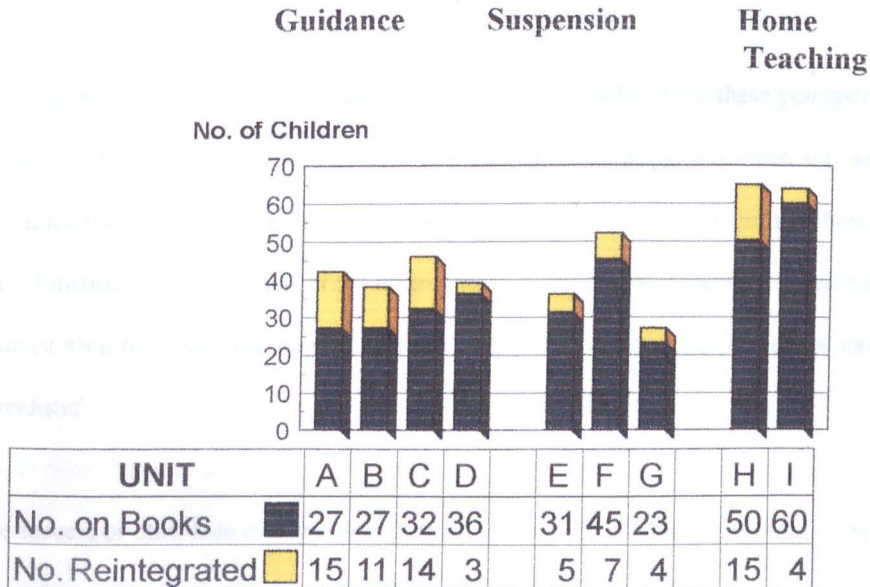
**FIGURE FIVE**

**PROPORTION OF PUPILS ATTENDING BSS CENTRES BEING REINTEGRATED**  
( Register data provided at interview)

Centres (post Easter 1993)



Units (pre Easter 1993)



Centres (post Easter 1993)

Total No. on Books      **331**  
Total No. Reintegrated      **78**

Units (pre Easter 1993)

Total No. on Books      **333**  
Total No. Reintegrated      **78**

The reception of mainstream schools to the changes was described by respondents as favourable. Yet when asked what service schools wanted many respondents said that schools wanted the BSS to solve their discipline problems for them and all said that really schools wanted to be relieved of unmanageable pupils. They described the pressure classroom teachers are presently under, one respondent pointed out that it takes a 'special sort of teacher to be able to work with these children' adding that these skills are usually closeted in the special needs room and are not generally recognized, encouraged or valued by the school as a whole. Respondents commented that a whole school special needs policy was a paper exercise, pointing out that it would be more effective in the case of children with learning difficulties than those demonstrating behavioural problems. One respondent expressed the view that given 'societal expectations' schools need to be accountable to parents and 'badly behaved children don't even come a close second'. This head of a primary centre reported referrals which stated explicitly that the child could not remain in school as he was preventing the work of the SATs taking place.

So there was little optimism that a whole school approach would be welcomed by schools as an innovation. As one centre head put it 'after Elton they were moving in that direction anyway, but they were redirected by the Education Reform Act.'

The general feeling was that the climate was *particularly* difficult for these youngsters in schools. Talking about a group of permanently excluded year 9's, the head of a centre designated short stay said '...they'll have to be moved on...somewhere. They won't survive in mainstream, what's the point of putting them through all that misery if they can't function in mainstream'. This centre head described reintegration, particularly in the later stages of a youngster's school life, (the stage at which exclusion and referrals to the service have always peaked,) as 'totally unrealistic'.

The success or otherwise of Behaviour Support's policy can be assessed ultimately by their 'carry over' rate i.e. the percentage of pupils that they carry with them from one year to the next. In 1993 the Head of Service said with concern,

'Our carry over rate from one year to the next is *alarmingly high*. We had something like 600 children through the centres (last year ) Now at the end of the year we're carrying over 400 into next year. Now this figure is getting bigger every year, our carry over figure. So we're gradually acquiring this ever growing hard core that we're carrying along with us'.

Actual data held centrally: 619 on books year 1992 to 1993, of these 436 carried over. Clearly this growing long term immovable core was likely to have seriously affected the attempts of staff in integrated working.

Whilst recognising the vital role of early intervention in this field there are evident anomalies in assessing the value of a service that has to support all children with behavioural problems, both in and out of school. Can a service of this sort, with the level of resources available, the prevailing climate given statutory obligations and societal expectations on schools, succeed in satisfactorily fulfilling all aspects of its designated remit?

The adequacy of such provision is being increasingly questioned, the 1993 Ofsted report on Education for Disaffected Pupils found LEAs under pressure to cope with the numbers of excluded pupils for whom the 1993 Education Act obliged them to provide 'education otherwise than at school'. This had resulted in the units altering the basis on which they offered provision, changing from full-time to part-time teaching in order to ensure an increased number of places. The Head of a primary centre interviewed here in 1993 reported that the previous year the Ofsted team conducting research for the 1993 report, had visited the BSS units, the city authority comprising a quarter of their field research sample. The report found that 'in most units the education lacked a clear purpose, challenge, intellectual stimulus was weak and the work was well below pupil's age and ability'; and that although most units were staffed by experienced and dedicated teachers, resources and the standard of physical provision were poor.

The 1995 Ofsted inspection of the first twelve PRUs similarly concluded that the amount of education offered was very limited, sometimes as little as two sessions a week and that delays in finding placements militated against reintegration and left children with time on their hands for lengthy periods. Whilst it was recognised that teachers in this situation have an especially difficult task and that relationships between teachers and students were generally good, standards of attainment were often unacceptably low.

The focus on the standard of education provided by referral units, in my view misses the point, or at least deflects attention from the crucial fact that these units are meant to be *interim* provision according to the 1993 Education Act. One of the main criteria by which they are assessed should be their success in securing a proper school



placement for the pupil DfEE data (1995) suggests that only approximately 27% of all excluded primary aged pupils and just 15% of secondary return to mainstream schools.

### **8.5 Views on the future of the service.**

Funding of the service was considered a pressing concern by all respondents. One centre head said that the need for resources was 'desperate', and the head of a longer stay centre explained that as she had been obliged to lose teaching staff the hours children were receiving had been reduced, (given as a reduction in sessional teaching hours from 100 to 32 hours). The 15 hours a week usually offered the more 'groupable' children had been reduced to 12, for those 'less groupable' 6 hours had been cut to 3 and those needing 1:1 could be offered 3 hours at the most. She said 'it's difficult to know where to cut.' All centre heads recognised that their children were not getting the amount of education that they needed, but 'we can't give them more time here, we know they need more but we're not resourced'.

With Government policy encouraging more schools to become grant maintained, respondents expressed concerns that in the future the service could be at risk. One centre head saw cuts with the authority 'slimming down' as more and more schools prepare to 'opt out'.

'We're (at the mercy of a whim), the stroke of a pen. If the authority thinks it can save £8,000,000 pounds by not having us? Anyway couldn't schools do this work themselves? Or at least buy it in as they needed'.

This centre head said that if schools held their own budget for in-school support that it would be the first to be cut for other priorities. Although during the research period the service remained centrally funded and free to schools.

One of the last questions I put to my respondents was 'what service do schools really want?' If schools have the power to make their own choices as the Government have been keen to promote, then the question of what schools really want and will be prepared to pay for is an important one. All my respondents considered that while in-school support was valued, what schools really wanted was to be relieved of their difficult pupils i.e. alternative provision, 'instant pain relief', as one unit head put it. Another head said 'I think they want us to take away their

naughty girls and boys - they'd like a mini bus to call and collect them all up' and for them not to return 'till they're good'. This head had noted the dismayed reaction of mainstream staff at the prospect of one of their miscreants returning after a spell in the BSS; 'They think they're never going to return'. Another PRU head said some schools want 'kids like these to disappear permanently'. It was generally thought that they considered unit provision 'all they deserved'. So if it was part-time, they probably would not bother attending full time anyway. Underlying punitive considerations on the part of schools were seen as prevalent, as one head of centre said 'schools still think of us as a punishment'.

The Head of Service was more diplomatic, he found schools ambivalent in their attitude, wanting *both* in school support and alternative provision. However he did not say which of these two he thought schools wanted most, should schools ever be in the position of choice. The head of a centre that used to offer full time long term (in practice generally permanent) provision, with some success, commented 'I'd like to have kept (my centre) as a full time alternative provision for excluded pupils. A small school if you wish for at least 40 pupils'. This head evidently considered that there was a need for such provision.

One head of centre voiced with some urgency a general concern.

'Somebody somewhere is going to look at *the numbers of pupils who are not getting education*. (Who are ) turning their backs on education. Going into the streets with the possible risks there.

It seems to me that the BSS is going to be expected to pick them up. And it can't do it within its current resources. It can't do it within its current ethos of 'education is what the government says it is'. It can't do it within its current given remit or within its current referral system.'

'As a result of (these) there are increasing numbers of pupils who can't get from the BSS what they need.'

The head of the longer stay centre who had expressed the wish to retain alternative provision, said 'What worries me is that the facility just won't be there in the future .... if we go down the school support road these youngsters will end up on the streets'. The problems these pupils were causing by being out of school during the mid-nineties attracted increasing attention. Although it may well have been the case nationally, this particular authority seemed to have attracted a great deal of press and television interest in the apparently increasing rate of juvenile offending, with elected members and senior local authority managers being called publicly to account. The DFE also investigated the exclusion practices of more than one school in the authority.

The head of the BSS said that a major concern for the future was that the service could be obliged to accept pupils presently beyond their remit. Referrals of pupils excluded from out-of-city special schools or from secure provision would be highly staff intensive. Truants also were a vexed issue

'At the moment we're dealing with kids who *can't* rather than won't go to school'. If the service was expected to pick up all the non-school attenders 'this would *massively* skew the referrals to the service. I consider that it would quite simply be an impossible task within anything like present resources' (Head of Service).

The referrals co-ordinator contrasted the demand for their service with the resources they were able to offer schools, 'We're very thin on the ground. Half an afternoon in a school per week, is that really going to make that much difference?'

So in conclusion, with increasing devolution of funding to mainstream schools, the future of the Behaviour Support may well depend on the kind of service schools want. Even given a change of government it seems unlikely that the major reforms put in place by the Conservative government during their eighteen year period in office will be substantially altered in the foreseeable future. There is unlikely to be additional money to pay for alternative provision for the more difficult pupils who will be unable to return to mainstream school. The authority, under pressure as a result of growing exclusions and increased juvenile offending, may be scrutinising the BSS extremely carefully; its record in returning young people to school so far is not promising. It would be tempting to think that the young people without education attracting so much adverse publicity could be accommodated in full time unit provision and so kept out of trouble. When there are so many young people *without education at all*, spending time with children who are managing in schools could well be viewed in the long term as a luxury. If the authority is forced to recognise that there is a growing sector of young people without education it could look to existing resources such as the old exclusion units.

Behaviour Support will need to continue to reconcile the conflicting demands of providing an alternative and being an effective preventative service, in a climate which in practice recognises other priorities and is unreceptive to the reintegration of these children.

## CHAPTER NINE

### CONSEQUENCES OF EXCLUSION

This chapter draws upon evidence from witnesses in the Social Services and Education Departments within the authority which demonstrates the personal and societal cost of the increased marginalisation of children whose manner, social class or culture identify them as less deserving of valuable resources; questions are raised about the consequences of a competitive market policy which in effect advantages an identified cultural elite.

It could be argued that the more securely entrenched are implicit social assumptions, the less visible as values that can be challenged are these social attitudes and assumptions. This is not to say that society as a whole has been duped by policy discourse and is completely unaware of the implicit consequences of policy. At each and every stage of policy development political discourse allows for citizen participation; public ratification, based arguably upon personal and class based ideals or interests, maintains policy development. The thesis does not seek to hold the architects of market policy solely or even primarily responsible for the implementation of a policy which has resulted in the educational deprivation of large numbers of children; nor was this policy imposed. Rather, within the context of a citizen participatory democracy, it was a policy which received the active support of a large proportion of the electorate for up to eighteen years, through several opportunities to elect a change of Government.

The policy decisions taken by schools, which as the thesis shows are constrained by consideration of broader market implications, nevertheless enact a degree of autonomy (in the Conservative sense, schools 'choose' the consequences of their actions); to fail to recognise this degree of power is to relieve schools of responsibility for these actions.

Focusing, as many studies do, upon the victims of policy marginalisation, encourages a view of the perpetrators of an elitist policy as being an all-powerful autocracy. The democratic electorate should not so easily escape

involvement. As Goldhagen (1996) observed, in his analysis of the ultimate elitist political culture that generated the most deprived social group ever (i.e. one that was deprived of the right to exist); representing those who carried out policy as bowing to 'irresistible pressure', denies the active involvement of the same people (in this case the German people) in the development of that policy. The men and women who became the Holocaust's perpetrators were shaped by and operated in a particular social and historical setting. It is not enough to say they carried out orders; rather it should be asked, what views and attitudes were formative, what legitimised policy development, and what was it that the democratically elected Government promised that ensured popular support?

The very invisibility of the structures of social privilege in this country might suggest that reference to such an extreme example of elitism is in no way related to the extent of pluralism, to the devolution of power we enjoy. In order to illustrate the point that power rests in the hands of a small percentage of the population, who share a very similar privileged background I cite the following example: there are 25,000 secondary schools in the country, and therefore it would seem surprising that a remarkably high percentage of Conservative Members of Parliament attended the same school, Eton College. 'There are 420 known Tory peers in the House of Lords, of which 320 are hereditary. Among the 420 are just three women; 228 of them went to the same school - Eton' (Jack Straw 1997 The Big Issue Jan 6 - 12 No 214 p.8). According to N.Flanaghan, Old Etonians Register, currently around 75% of hereditary peers attended this school. (telephone 28.3.97).

As attending a certain school can in itself confer status, so being excluded from school comprises a removal of status, the conferring of stigma. Both children's homes unit managers and heads of BSS centres reported that permanent exclusion was a critical point, at which the educational career or future opportunities of a child or young person became suddenly severely restricted. Ofsted (1996) cite recent figures from the DfEE which show that 'two out of every three pupils who are permanently excluded never return to another mainstream school' and in the case of secondary pupils the evidence showed the situation to be worse, as 'four out of five failed to return to a mainstream school' (p.50). Cohen et al (1994) point to the civil rights issue, arguing that exclusion from school may be a precursor to or a precipitating factor in 'civic or social exclusion' (p.4).

'For many children who are permanently excluded the chances of re-entering mainstream education are remote and the alternatives are, in the present state of provision, too often expensive and inadequate...no democratic society can afford to write off thousands of young people' (Ofsted 1996a p.31).

## **9.1 Exclusion and 'education otherwise'.**

Respondents all recognised that there were far more children out of school and that they were individually in receipt of far fewer teaching hours than had been the case prior to Government reforms. The unit manager of a children's home in the south of the city complained 'Two and a half days, that's all they offer, and then they're sent home for trivialities, for swearing and such like'; children being statemented often received the least teaching time. Unit managers considered that offering only part-time provision reduced motivation, as young people had the time to get drawn into 'attractive alternatives' to school. A Social Services Advisory Teacher, South, commented, 'You can't grasp a child's interest in one hour, - it's not worth getting out of bed for'. In the case of many children their journey time far outweighed the amount of teaching time offered.

A respondent within the Behaviour Support Service, discussing what he would like to be able to offer added 'But of course, as a result of reform we now have so many suspended pupils - it's not possible to provide full time education'. Another respondent stated

'The ERA has made it quite clear what counts as appropriate teaching content (the National Curriculum) and what counts as success in learning (SATs results). So we can easily see the unsuccessful, because they're the ones who reject this'.

Respondents reported children with little or no education, in many cases for years rather than months. The Head of the Behaviour Support Service interviewed in 1992 said 'There are many (excluded pupils) getting lost in the system', asked how he could support this assertion, he replied 'Well, of those that are reported to the AEO (and we know many are not), last year the figures for the second category of exclusion were 301' (this category was the 'indefinite' exclusion); 'but reported to the Education Social Work service there were 150' (the role of this service is to return these pupils to education). This respondent concluded 'Schools have not been informing the services they should, and if the pupil's parent fails to get them another school, they just disappear from education and no one follows it up'.

It was the general view that the more difficult the young person, the more inclined agencies were to drag their feet or to 'forget' to arrange schooling, and even in the later stages of research there was little evidence of practical improvement.

Ofsted (1993) in their report on Education for Disaffected Pupils noted that the ratio of black pupils being excluded was not maintained in those in receipt of provision,

'none of the units visited had a number of children of minority ethnic origin markedly disproportionate to the local community. Some units in multi-ethnic inner cities, however, contained disproportionate numbers of white children: this ratio did not reflect the higher exclusion rates of black children by local schools and thus may point to weaknesses in the support by units of British black children in that they are falling through the net more easily' (p.4-5).

This report commented on the problem of pupils 'lost' to the system (p.3)

A respondent in the Social Services saw the changing tolerance level of schools and the focus of the Behaviour Support Service as 'overloading so many 'soft end' kids into the suspension bracket' that these were 'pushing through and displacing those that are really in great need'. He described the position of the BSS units very explicitly

'If I'm full and I've got a waiting list - unless I'm really stupid I'm not going to choose the hardest to work with: I'm going to choose the ones I'm going to succeed with; and because I'm a precious resource this can be justified professionally. So it's not a luxury, it's good practice. Some of the units, they've got more referrals than they've got places, so they're getting very choosy - they go for the good kids. It's easy to succeed with these, and because they're seen to be successful they get plenty of referrals. And our lot (children accommodated) don't get a look in'.

Even for those fortunate enough to be offered some teaching in a unit, the standard of physical provision was often unacceptable. In support of this point I cite the following experience of visiting one of the Behaviour Support Centres, in order to conduct a research interview. Having telephoned beforehand to locate the centre on the A to Z, I was surprised to find it was not where I expected it to be. I parked on a piece of waste ground and walked to a nearby shop to make enquiries. It transpired that the piece of waste ground I was parked on was the car park, the derelict building I was parked next to was the centre, which I had failed to recognise as habitable owing to the extreme neglect of the Victorian building, having broken windows, missing roof tiles and boarded up doorways.

## 9.2 Special school exclusions

Pupils that as a group presented the authority with the greatest placement problems, were those excluded from special schools. Stirling (1994b) describes the rise in exclusions from special schools in relation to the 'through flow' effects of market forces; given growing mainstream exclusions, local authority special schools have more referrals, from which they can select children who are less challenging; this allows them to consider removing those who have proved especially difficult.

A Social Services team manager interviewed in 1992 said that he was 'particularly concerned about exclusions from special schools; eighteen months ago it was hardly happening, - only in extreme circumstances were special schools getting into suspensions'. The Head of the Education Support Service wrote to the Assistant Director, Pupil and Parent Support, on the 26th November 1993, expressing concern at the number of pupils who had been recently excluded from the authority special schools, without recourse to statutory exclusion procedures and for whom no adequate provision had been made.

Details of eighteen special school exclusions are given in Appendix Two.

The unit manager of a children's home with two pupils excluded from their special school, said that 'it was a very serious step in the past, but now (the schools) do it with impunity'. He pointed out that he has to take youngsters excluded from special schools which have been identified by various professionals as being able to meet the young persons needs, yet he explained that the school had excluded the young people on the grounds that they did not have the resources to meet these needs. He asked how, with no educational resources at all could the children's home be thought the right place for a child with special educational needs? He explained

'What seems to be happening now is that we are getting young people suspended from five day (city) provision, needing to progress to more structured, that is - 52 week provision - but there is no holding facility. So the holding process happens here with us - but it takes so long that in fact we're damaging the young person'.

If this was a genuine interim arrangement he said he could accept it, but he had two youngsters well into their second year with no provision. A few weeks at a unit, in order to complete 'an assessment', had been offered but not taken up, by one young person who argued, with some justification, that he had already been assessed several times before and that he wanted a 'proper school'.



Throughout the course of the research the view generally prevailed among the key professionals interviewed, that special schools were particularly likely to adopt irregular procedures when excluding pupils but that the consequences of exclusion in such cases were especially serious as alternative special provision could be extremely difficult to secure. An Advisory Teacher described a boy whom the special school he had attended told her was permanently excluded. However the local authority insisted he still had a place at this school and refused to consider an alternative; the special school, after months of wrangling conceded that he was not properly excluded, but they refused to take him back or to process an official exclusion as, they stated, this was not their practice.

This respondent assured me that the situation was in no way exceptional; (as the list in Appendix Two shows). Indeed, she argued, it was standard procedure for special schools to have recourse to the statement as a means of excluding pupils; they would argue that this needed to be revised because it failed to represent the young person's existing needs and as the provision was no longer appropriate the placement was terminated. In several cases it was found that despite the fact that the school had refused to readmit the pupil, he was still on roll many months later; hence the school was still in receipt of funding for the placement which they were refusing to offer.

The Advisory Centre for Education in their survey of calls to their advice line in September/October 1991 and January/February 1992, found 'a whole catalogue of illegal procedures and poor practice' in the handling of exclusions (ACE 1992). During the course of the research presented in this thesis, mainstream schools were found frequently to interpret exclusion procedures in an unorthodox (if convenient) manner, but special schools in the authority were openly choosing to ignore statutory procedures. The practice of justifying the refusal of a continued place at a special school (without recourse to exclusion procedures), by asserting that the child was beyond their remit, was vigorously defended by the Headteacher of one school who had recently expelled six pupils, as being 'long-standing universally accepted working practice' (letter to M.Stirling 3.12.93). ACE (1992) observed that

'It is ironic that schools which seek to sanction pupils for breaches of the school code of conduct, may try to do so without paying due attention to the law of the land'.

Stirling (1994b) describes pupils left in educational 'limbo' in consequence of working practice that allows special schools to exclude pupils without having recourse to the proper procedures which the authority would expect of their mainstream schools.

As mentioned in the previous chapter, the city Behaviour Support Service was unwilling to offer a place for such pupils,

'The Head of BSS won't touch statemented kids (it's not his brief). We've one boy excluded last September (six months ago) who still has nothing. The special needs officer referred him on to another school but just last week we've been told they have no places. He's been to the three other special schools in the authority - this was the last one left! So there's nowhere for him to go now'.

Another respondent in the Social Services Department described the process of trying one authority special school after another (without respecting the tariff of needs) as 'pass the parcel'.

'Six months ago (the boy) was recommended at a case conference for out of city placement, 52 week therapeutic provision. But they sent him to (an EBD day school in the city). Because of serious home related problems it broke down, as everyone expected. (That school's ) had it with him - but they haven't excluded him, there's been no governors meeting or anything.

Now our department is saying that even though there was the recommendation for a 52 week placement, his needs have got to be met in the city. It's all costing issues. So he's been told he has to go to a CHE'. (Advisory Teacher South).

This respondent pointed out that this child, aged just fourteen at this point had a reading age of 5.4 and was able to count (on his fingers) just up to ten, 'a CHE cannot possibly meet his special educational needs'. This respondent cited an Assistant Director as saying, in relation to such cases, 'I just wish one of the parents would take us to court!', implying, she argued, that then the authority officers would be able to access the funds needed. This respondent then continued

'You'll have to reword this, but the \*\*\*\* has hit the fan as a result of the education reforms, all of these suspensions have come through as a direct result. We all know there's an overall increase in suspensions because of the changes in schools... so special school kids are pushed further out'.

This respondent complained not only of the difficulty in securing a special school place, but of the quality of provision offered.

'Special school kids miss out the most. The quality of schooling in (the city day school) is so poor. I have one child whose mother went into the school and was so disgusted that she withdrew him. The LEA are saying they've no place for him, he's way down the list now! As, of course, he hasn't taken up what was offered'.

The Social Services team manager talked about having to accommodate youngsters ostensibly 'for an assessment' but added

'Really this is a holding exercise. As we don't have integrated resources the placement breaks down. If the breakdown is quicker than the assessment process, then we're in trouble!

For example take K. He's gone downhill so fast. You can almost predict the deterioration in advance - its as well to book a (CHE placements) panel date well ahead!'

The Head of a BSS unit said that whereas initially the marked increase in permanent exclusions had been the major issue, professionals in the department were very concerned about the fact that as a result of the need for continuity of education in terms of the National Curriculum, it was far more difficult to retain youngsters in alternative provision. He explained that there were pupils who were not attending his centre because they were rejecting the curriculum on offer. Those excluded from units or from special schools he said were 'no hoppers', 'really the door is closed for them', as 'they've gone beyond the end of the line'.

Commenting on young people excluded from special schools, in 1992 the Head of the Behaviour Support Service complained

'people, the AEO's, will hark back to the days when the old Home Teaching Service was a safety net - it is their belief that my service has taken on that role. But I haven't got a budget which will stretch to providing a safety net for all kids who are out of school'.

(The BSS had been dealing with 300 pupils in the indefinitely excluded category alone at this time). This respondent added

'The old Home Teaching Service didn't have a remit - it just gathered bodies and through the sessional teacher approach, having this expandable budget - it just grew. Until they were caught up with.

Now there is a clear issue that we can't keep overspending on that budget. And that throws into focus whether or not the authority has a safety net; and in terms of the exclusions from special schools for example, the answer is quite clearly, no we haven't. In this we are in contempt of the 44 Act'.

During the course of the research administrative procedures in respect of special needs became more formal; however, there was if anything an even greater reluctance to statement on EBD grounds, and access to appropriate provision for these pupils did not improve.

Given the evidence provided here, it is difficult to avoid the conclusion that the education department in which the research was conducted was indeed in breach of its statutory responsibility in respect of the group of pupils discussed in this section: firstly, in terms of the Education Act 1944 (Sect.8), to provide suitable education for all school aged children; and secondly, in respect of legislation covering special education, the Education Act 1993 (previously EA.81), to make provision for special educational needs identified in the statement of needs.

### **9.3 Exclusions and children accommodated.**

Whilst all respondents in the Social Services Department commented in a variety of ways upon the problem of young people with 'time on their hands', several described explicitly their experience of the connection between them being excluded from school, and coming into local authority accommodation. Parsons (1994) describes the impact of exclusion on the family: the limitations upon the mothers activities, the effect upon her employment, the deteriorating relationship between mother and child, the effect on the siblings, the loss of education, the children accommodated, the drift towards criminality, the social marginalisation, alienation and sense of failure.

On being asked a general question about 'the future', a children's home unit manager interviewed in 1991 replied

'Things aren't getting any better - it's getting worse. Bearing in mind the Children Act, children shouldn't come into local authority care as a result of educational breakdown. However in practice this is what happens, as it does affect the decision to accommodate children.

Education constitutes so much of the child's week, that when it isn't happening the chances are that something undesirable is happening; either domestic problems or offending. Here we have kids on site far more, it's a taste of things to come.

More educational breakdowns could be a contributory factor in more kids coming into local authority care. Also, it's not just a case of educational breakdown. It's the quality of education that's actually being offered'.

Parsons (1996) comments on the effect of exclusion, and the need for earlier supportive intervention both at school and at home.

'After exclusion, the child experiences an alienation from ordinary school life and, through what is often an and unpatterned daily experience, de-institutionalisation which is a further challenge to be addressed by the follow-up services. The 'debris management' that follows has been slow and all the more difficult because of insufficient intervention before, or at the point of, exclusion. Intervention earlier in the school and in the family is required'. (emphasis in the original p.9).

A Social Services team manager discussing a children's home in which only two out of the twelve young people in residence were attending school, asked about the consequences of exclusion replied

'When young people are not receiving education, for any reason, it puts pressure on their family. Carers 'have to look after that person all the time; this can affect the family income. Certainly it means time must be given for the young person - and issues of control start to arise'.

Parsons et al (1996), discussing 'the human cost of exclusion', describe parents experiencing 'stress, strain and worry', in a family life which included 'tensions and arguments' and in some cases physical violence by the excluded young person directed towards their carer (p.6).

Reception into care in itself could prove a trauma for many children. This respondent spoke about the 'room for manoeuvre' available to families, highlighting a key issue of this thesis, the practical and socially related limitations of power of such families caught up in the exclusion sanction process.

'Young people who get suspended from mainstream school, they put pressure back on the family. These families can be the bottom end of the power structure. They haven't the power, the confidence or the knowledge, to appeal. They don't know the procedures and don't understand the bureaucratic language of the school. It makes them feel stupid, - so they get angry. They have to take the exclusion.

The young person is at home every day, (this is because of something that's thought to be 'his fault'); he can't be fully occupied by the family so there's a worsening relationship with the parents. Because the relationships worsen at home he spends more time out of the house, on the streets with his mates.

So either the parents ask for Social Services care, because he is out of control - or the young person continues his 'out-of-school career', and juvenile justice is involved; so he (or she) is hitting the system that way because of offending.

Most families we work with haven't a clue what to do with an exclusion, and they can't get off the cycle of events once it starts'.

This respondent pointed out that in this train of events, the 'precipitating factor' is the exclusion from school. Ofsted (1997) observed that 'for the pupil concerned (the exclusion) may well constitute a critical turn in a downward spiral leading to unemployability, anomie and hopelessness' (p.8).

The above respondent added that the worst situation was an exclusion from a residential special school, where the child is suddenly living at home 24 hours a day and they are frequently offered little or no teaching at all; 'So it's not surprising that before the young person's feet touches the house - they're in care!'

Cohen et al (1994) research for the Family Service Units and Barnardo's, looked at case studies of thirty families, finding that exclusion caused severe family stress. After the exclusion they described the young person as experiencing 'increasing personal difficulties' ranging from 'petty crime, drug/solvent abuse or other dangerous behaviour' to placing themselves at moral and sexual risk.

An Advisory Teacher pointed out that whereas social workers could be inclined to 'down value education', often considering academic skills less important than social development in the case of disaffected youngsters, parents always saw the school and schooling as a major issue; and children and young people *invariably* wanted to be able to attend a school.

'The parents certainly see the school and schooling as a crucial issue. If they're in school the parents know where the kids are.

There are (accommodated) children who are not allowed home because they're not getting education, (they may only be offered a few hours) - so they're suffering deprivation and there is the risk of family breakdown

Another thing, they get out of the habit of going, out of the routine, they get disillusioned and think there is no school for them'.

A children's home unit manager commented

'Exclusion lets them move up the tariff, so they're less likely to return home; exclusion both offers opportunities for moving up the tariff (developing patterns of offending), and cuts down on the possibility of being accommodated in foster care or of returning home. If you wish - it 'closes the return door'.

Social services team managers confirmed that fostering and adoption placements were considered only where there was viable education. Similarly, children's homes were less willing to respond quickly to a request to accommodate a child with no school place. A unit manager pointed out that young people could come to them with a long history of disrupted schooling, 'so we have to set to repairing up to ten years of damage. We can't do it!'. The disadvantages of having a cluster of out of school youngsters in a home, in terms of peer pressure, is discussed in the next section. Ofsted (1996) noted that far too many children looked after by the authority are excluded from school. A Unit manager expressed the views of his colleagues in complaining that 'staffing levels are designed for the delivery of childcare services, not for running a school within the unit'; as there was no respite from the need for constant supervision of young people, many unit managers reported that confrontations were happening on a daily basis, and this had a demoralising effect on staff. Consequently more staff were off sick and

the units became further stressful. As one residential social worker put it at a placements meeting, 'this is a stressful place to be, with (its own) physical and moral dangers'. Another respondent cited

'One lad, who before he came into care hadn't - sniffed glue, taken alcohol, been involved in burglaries, taken a vehicle without consent. Now - he has learnt these lessons well.

A lot of this is down to the fact that he's out of school and so has the opportunity to become involved in exciting alternatives - being drawn in by his peers who are not attending school'.

Parsons et al (1996), in research for the CRE also conclude that 'being excluded is an alienating experience. It also provides time in unstructured and unsupervised environments which creates opportunities for involvement in crime' (p.8).

#### **9.4 Exclusions and offending**

The manager of an all-girls unit complained that a third of her client group had no education of any kind and most of the others were being offered part-time education only. She said that this had had a 'drastic effect' upon the running of the home, as staffing levels were not designed to cover most of the young people being in the unit throughout the day, and staff were not resourced or trained to be able to engage them continuously in worthwhile activities. She said 'It's easier for the schools if they're away, and it's an easy option for them', (i.e. the young people), 'they spend their day dossing around, watching television, - but the longer they're out the harder it is to get them back'. She added, 'once one's out of school others follow suit', pointing out that as most of the young people were being offered part-time schooling only, they had plenty of time to discover undesirable alternatives.

'The more streetwise they are the more peer pressure they can exert. But street-cred doesn't go down too well with schools, they see it as a big danger sign'.

Once a young person was involved with the police, she said 'you may as well forget school'.

Another unit manger complained that with increasing numbers out of school and the 'knock-on effects of that', and with the closure of remand centres and young people being remanded into the care of the local authority, they were accommodating a more mixed client group.

'We have those that are delinquent, that are criminally active, lumped in with the vulnerable, those accommodated on account of family breakdown, (sexually and physically abused kids), - they're at risk of further abuse from the dominant peer group.

Or those whose family just can't cope because they're out of school, (a single parent may be the sole bread winner and may be unable to discipline a teenage boy), - excluded from school and newly in the 'care system' they can be receptive to participating in peer group activities in order to win approval, (such as being a passenger in a stolen vehicle).'

An Advisory Teacher pointed out that young people get easily bored in the home, with nothing they want to do,

'Their energies are not being appropriately channelled, so they go out looking for something more exciting. If the unit clamps down on them, they'll abscond together '.

This respondent went on to detail a few young people 'addicted to arcade games'. The respondent of the all-girls unit cited above gave examples of what some of her girls did when they were out of the unit

'They go into (a large city store) restroom, warm places. They might have taken stuff from Boots, make up, perfume, hairdye. They do themselves up. Then they might get hungry - there are cafeterias where you order hot meal and pay for it and they call out a number and a short time later leave it on the counter.

These kids get in there first and collect the meal. By the time they've eaten it and left it's too late to do anything about it, they leave behind confusion. Even if they were caught they couldn't return it anyway!'

More worrying, this respondent described these girls as in moral danger

'they're on the street, begging - 'could you lend me 50p'. They're at risk. The police are after them, perhaps we're going to give them a hard time for being out of the unit, so they are tempted to go off on an invitation from a stranger'.

The unit manager of an assessment unit said 9 out of 10 young people in residence have had or were pending court cases and only two of these attended education. He complained that 'we are not resourced to do any more than contain their material needs' adding

'Take A for example, he's been involved in so many TWOC [1], robberies - he's got thousands of offences piling up. He's bringing in sometimes hundreds of pounds - he gives the other kids £50 and so on - it's not doing them any favours. He's showing them what he can earn. He's got some of them to go with him, robbing in \*\*\*\*\*. He shows them how its done.

So we should put a stop to this, tell them where they stand. OK, so we stop their pocket money as a punishment (but we are only allowed to stop a third), that's a couple of pounds'.

The unit manager of the all girls unit described a fourteen year old girl coming back from being absconded with a new leather suit and shoes, for which she had a receipt.

Many unit managers complained that whereas once they could get emergency admissions to one of the department's two CHEs (Community Homes with Education), now they were always 'full'. Bearing in mind the evidence provided elsewhere here, that the city CHE's had a large percentage of children with a statement of



special educational needs, youngsters needing a placement on *social* rather than educational grounds were finding this provision difficult to access. The expected referral criteria for a CHE placement would be predominantly social rather than educational problems.

Talking about being out of school for long periods, and being bored in the home, one respondent said

'They make a beeline for the city centre. We wait for the call from shop security or the police, to collect them. They've been arrested for shoplifting yet again. The way the shops lay stuff out is so tempting for these kids. The amount of stolen property we've confiscated would run into thousands of pounds - it's an enormous problem'

This respondent said that the beginning of this was generally 'all school related'; 'it isn't just the time and the opportunity, but it's *the attitude* - the response of 'I don't care' if you (the school, i.e. authority) don't want me, have thrown me out'. He said

'They're into criminality far more: there's shoplifting, solvent abuse, it's hard to believe the things they'll sniff. And other kids are getting taken along who on their own would never have got into trouble.

We had a couple of boys on the rent boy scene.

There was one fourteen year old boy who was raped, we had the guy arrested and it went to court, it came out he was HIV. We had to counsel the kid. Blood tests were supposed to be done regularly but it could take years to shown up. This has implications for staff, we have to treat the child with care as well as concern. I said we have to treat every child as if they could be HIV positive'.

The unit manager of a group one home reported an increase in TWOC, and expressed concern in respect of the 'rent boy' problem saying

'these are the extremes; but then there are the burglaries; another important factor is that they don't just do it on their own, they are taking other youngsters with them. There are those that are easily led with the adventure of criminality, the excitement of the criminal act. For many money and (transitory) possessions become their only objective in life. Education doesn't feature. They'll sell stolen bits of cars for example and come back with a lot of money. It's just material possessions obtained by any means'.

The number of offences that could run unchecked was described by respondents as 'alarming' or 'crazy'. The unit manager of the all girls unit said that some of her girls had received 'so many cautions that this is a laugh, a big joke with them'. Another respondent described the actions of a twelve year old

'Take K for example. He'll say 'I'm off' - he runs around the corner and jumps into the first car he sees and off he goes. He's a risk to himself, to other motorists and to pedestrians. He's an astronomical risk.

Then there's the stealing, he's persistently at that. He's been assaulted by the other kids as he's so 'mouthy'. K has an obsession with stealing - and he's so blatant the way he behaves he's really going to take a good hiding one day - people just won't stand for it.

He's a risk to himself, other kids and the general public'.

This respondent was quite clear as to how this situation had been allowed to develop. The boy wasn't being appropriately educated (the respondent was not concerned as to whether or not the *young person wanted* to be in school, he had an entitlement to receive it).

'These kids are the victims of societies mismanagement - and we are reinforcing that mismanagement at present'. 'If you're in care there's no one to answer to. They know the system as well as we do. So we set the boundaries - but if nothing happens when you cross them what's the point? So what - if you step over the boundaries.'

This respondent listed the number of cautions this youngster had received.

'We are reinforcing not being able to control certain kids. K is out of control. He's got so many charges piling up; he just gets more cautions. Unless he does something really drastic; until he accidentally kills someone - not a lot will be done. He's an accident waiting to happen'.

It was evident from other interviews that such cases were by no means rare and within the time frame of the research the Education Support Service had worked with three young people who were to be killed in a stolen vehicle. Another excluded pupil, within three weeks of his exclusion and subsequent accommodation by the authority, had caused hundreds of thousands of pounds worth of damage in the local community (this included arson).

The Audit Commission report on 'Misspent youth: Young People and Crime' (1996) found that 65% of school-aged offenders were not attending school regularly and that 42% had been excluded' (TES 22.11.96); it argued that 'reducing the number of pupils who are not at school for reasons of truancy or exclusion could significantly reduce the number of young offenders'. The report found that three quarters of excluded pupils offended (Perfect and Renshaw 1996). Ofsted (1997) listed patterns of conduct characteristic of excluded pupils, which were consequent upon stress factors such as poverty and abuse, which had themselves predisposed the child to exclusion: these included emotional disturbance, aggression, abusive behaviour, poor mental health and involvement in offending (p.11).

Given the behaviour described here, it is perhaps not surprising that Beaumont (1996) and others (Anderson in The Spectator, Rainer and Lownes at the LSE, cited in Beaumont op cit), point to a 'rebirth of the dangerous classes'.

## 9.5 A growing underclass

Many of the respondents saw young people's behaviour as related to their prospective place in society and affected by the broader political ethos. The Head of a PRU interviewed in 1993 considered that

'They come to us more damaged than they used to be. I believe that the political climate, the economic and social climate of 'every man for himself' and blow anyone who is weaker or more vulnerable or less able - I think has definitely affected the young people.'

This respondent considered it harder to convince young people that there could be a worthwhile place in society for them.

'If you take the job scene, most of the youngsters know that in real terms their chances of getting a worthwhile job are zero; therefore they have little commitment to a society which is virtually saying to them 'you are no use to us'.

I think there's been an increase over the last few years of people saying 'you really are no good and we really don't want to be bothered with you'. 'There are others much better, so you don't count'. I think this is shown by the fact that we are getting far more disaffected youngsters than we ever had ten years ago'.

Asked what would be needed for an improved future this respondent replied 'The investment of resources and the *political will*'. He expressed the (politicised) view that 'The Government would rather not invest in people'.

In a similar vein and reflecting on the role of his centre another respondent said

'Our job is to try to make decent human beings. Part of being a decent human being is to give more than you take from society. But these young people have been given so little, they don't owe anyone; so all they can do is take what they can. What they know is a dog eat dog society'.

The head of a BSS head expressed an ambivalence in respect of their role in supporting the school. He complained that the service was now in the position of

'having to support the school and all it stands for; whether it is insistent on school uniform, demands certain modes of pupil teacher interaction, or whatever. *We are propping up social distinctions, concealed by the spurious myth that parents can decide on what is or what is not a 'good' school*'.

This respondent pointed out that what schools are led to value is culturally loaded,

'The governors have aspirations for the school, but they're the most conservative bunch in terms of what they believe education should be'.

He then discussed the way schools reject children who fail to conform to these values, adding 'this is where their career of failure starts'.

In comments such these reported in this section, experienced practitioners who work directly with disaffected young people, expressed the significance of the relationship between social exclusion and exclusion from school.

The BSS Referrals Officer interviewed in 1994, when asked the last general question about the future, replied linking a perceived increase in youth crime to a possible freeing up of future resources to address this.

'I think we are beginning to see a social climate where people are wondering why we are getting so much youth crime. Measures will be thought about to remedy or contain that; and Behaviour Support, in whatever form it takes, will be part of that'.

But this optimism was not shared by other respondents within the Social Services Department and Heads of BSS centres (i.e. PRUs), who were generally of the view that resources were badly inadequate to make any significant impact upon youth disaffection. In November 1996 the Audit Commission pointed out that while around one billion pounds is being spent every year on dealing with the effects of juvenile crime, little is being done to address the causes of such behaviour (Perfect and Renshaw 1996). The TES (22.11.96) pointed out that the report identified exclusion as a major risk factor for youth crime, which it stated was 'embarrassing for the Government', since the numbers of children kept out of school have risen dramatically since its policy of market forces in education began to bite' (p.8). Recognising the significance of being excluded from school as the first step on the road to a life of crime, the report concluded that anti-exclusion programmes should become part of locally co-ordinated programmes to address young offending.

However, an Advisory Teacher, South, expressed what she saw as the reality of the situation.

'These kids are 'lost causes'. They haven't been taught the skills to cope with social requirements, to fit them for a 'normal' life'.

She added, (playing the Devil's advocate), 'It would be better for everyone if they just disappeared'.

A similar view, that it would benefit the state if they disappeared, was held in respect of the Jews in Nazi Germany (Golhagen 1996).

However, what is significant in terms of this view is that it is invested in Conservative education policy; these are the children we can do without, the 'undeserving', the pariahs, the excluded.

## **Footnotes**

[1] TWOC, taking (a vehicle) without the consent of the owner.

## CHAPTER TEN

### CONCLUSION

#### MARKET FORCES AND EXCLUSION IN EDUCATION

The aim of the study has been to understand the reasons for the marked increase in school exclusions and the meaning of this in education policy. The research has shown that there has been a marked increase in exclusions from school between 1988 and 1996, the years following radical educational reform which predicated the education system on competitive principles. In support of the assertion that exclusions from school have increased, the thesis draws also upon nationally available research in this field; but the main focus of the research presented here has been to establish an understanding of *why* this increase has happened. The main questions posed were

- *Why has there been an increase in school exclusion?*
- *What has this to do with educational reform?*

This chapter summarises the research findings and relates them to the broad thrust of Conservative reform which has introduced market forces in education. In so doing it prompts questions as to the efficacy of this reform. The chapter considers empowerment, choice and the standard of education, issues which the Conservatives have promoted as of central importance in their education policy .

Fifty interviews were conducted with practitioners in key positions in the field, respondents with daily and direct contact with excluded pupils and whose decisions affect the outcome of the exclusion process. They were asked about the practical reasons framing these decisions and given the opportunity to present their perception of the effect of changes in education. The picture presented was consistent, all respondents were of the view that more children were being excluded and in discussing this related it to reform. Although having access to detailed case file data the research did not focus on individual pupils and their specific behaviour which led to exclusion, as has much research (ACE 1992, Cohen et al 1994). Rather the research was concerned with reaching attitudes underpinning decisions, views or standpoints that largely determine the process in response to pupils' behaviour;

and then questioning the relationship between respondents viewpoints and changes in education, societal expectations and statutory obligations.

Reaching the conclusion that more children are being excluded from education presents an inescapable moral dimension. As the thesis is about Conservative Government policy and exclusions from school, it raises questions about policy. The research has addressed the following question

- *What are the consequences of increased exclusion from school?*

In answering this it presents evidence in stark contrast to the Conservative Government's promise to improve the standard of education for *all*.

### **10.1 The research findings and Conservative Government policy**

The agenda this thesis questions in relation to exclusions from schools, was set by the Conservative Government which held power for eighteen years, during which time it brought about the major reform of the education system, differentiating state schooling in accordance with traditional Conservative values via market force mechanisms.

Hayden (1995) cites Le Grande and Bartlett (1993) who 'caution that the majority of changes being brought about by quasi-markets in the public sector are very recent and therefore it is not really feasible to assess their empirical consequences for several years' (p.5). The research presented here spans the critical years in the implementation of market ideology, when the reforms developed by the Conservative Government at the height of its power were being implemented. The data were collected during the early to mid 1990's, and the writing up of this research was completed in 1997 at the end of this period of Conservative Government reform. Consequently it is reasonably placed in terms of its time-frame, to comment upon the effect of quasi-markets in state education in relation to those marginalised, within a metropolitan authority. Although we have had a change of Government the effect of eighteen years of Conservative reform are still all too apparent and decisions about exclusion are still framed by the overriding legislative structure that has introduced market forces.

In exploring the relationship between Government policy and marginalisation the research addresses issues fundamental to social justice, issues of empowerment and participation. At a conference of parents soon after the Education Reform Act was passed, Kenneth Baker, Secretary of State for education claimed, 'I have given you more power than you have ever had, or ever dreamed of' (cited in Docking 1990 p.79). However, it would be difficult for parents of some children to believe this, as it could prove at odds with their experience. Respondents interviewed here explained the disparity of power inherent in the exclusion process and the problems parents or carers experience in finding another school that would accept an excluded pupil. Progression on the exclusion continuum entails the progressive diminution of power and the study has demonstrated the extent to which the implementation of Conservative policy has generated an excluded, or disempowered sector of pupils, of families and of certain schools. The research has presented evidence which supports the argument that the allocation of power to the population is related to the degree of conformity to the values and cultural modes held by the power holders.

Another Secretary of State for Education, John Patten, on the launch of the White Paper Choice and Diversity, affirmed, 'Our proposals are radical, sensible and in tune with what parents want' (Hughes 1994 p.186). But as Hughes points out, no one ever asked parents what they wanted, and there is no evidence to support the view that parents were calling for greater involvement and control of schools. Indeed there is now a growing body of research that challenges this, (Vincent 1993, Armstrong 1995). Armstrong's study of Power and Partnership in Education has been criticised, as the research predates the Education Act 1993 and accompanying Code of Practice, and the sample of parents and children interviewed was small, suggesting further research was needed, (Gale 1997). However, its value has been recognised and it was the unanimous first choice for the 1995 NASEN Book Award. It examines the changes in educational philosophy and statutory mechanisms and the concept of parents as partners, concluding that the apparent inclusion of families in the decision making process serves in fact to legitimise the process of disempowerment. As Vincent (1993) found, parental participation in education is subject to social and cultural constraints. Children's home unit managers interviewed here, fulfilling a parental role with regard to children looked after by the authority, all reported an increase in exclusion, and they described in detail the practical limitations of choice of schooling and the inferior standard of education offered to these children.



The findings presented here support the view that choice and diversity in the state education system has served not only to legitimise Government policy but by its practical effects it marginalises certain groups; the means by which the policy process, whilst investing in some, devalorises others, has been shown in Chapter Six, where respondents described how and why schools reject certain pupils. The thesis argues that this is neither random, arbitrary, nor an unintended side effect of educational reform; but is a means of ensuring that the values of Conservative ideology, implicit in market forces in education, are fulfilled. As conformity to the agenda accesses power, so 'the ability to set the agenda' 'demonstrates the operation of government power' (Skeggs 1994 p.82). Policy is the assertion of values. The study has identified essential themes in Conservative ideology and demonstrated how these are invested in statutory mechanisms designed to achieve an education system that embodies these values. In relation to schooling, the evidence has shown the way those that fail to conform to these values (which are cultural and social class embedded), are excluded - are effectively disempowered.

The evidence from the empirical study leads to the following conclusions about the exclusion process and its consequences:

- there has been an increase year on year in the number of children excluded from school, and this increase is related to market forces in education.

All respondents, interviewed at different stages in the research period, reported an increase in exclusion; this assertion was supported by documentary evidence, (children's homes registers and support service referrals).

All respondents, when invited to consider factors that affect this increase, spoke about changes brought about by educational reform, often citing specific cases as examples; factors such as a nationally assessed curriculum, open enrolment, funding dependent upon pupil numbers and school inspections, were listed by several of the headteachers interviewed.

- there is a link between fixed term exclusions and long term truancy and the extent of the problem of pupils out of school is greater than that implied in officially given exclusion figures.

Children's homes unit managers described the effect of fixed term exclusions in discouraging attendance, the unit registers substantiated their assertions, showing a developing pattern of non-attendance punctuated at identifiable points by short term exclusions. Unit managers reported a high percentage of residents not attending school, yet a very small percentage recorded as excluded, (registers and case files proved this to be the case).

- there is a relationship between schools' tolerance levels and perceptions of the category of special needs defined as emotional and behavioural difficulties, and pupils so labelled are considered less deserving of scarce resources.

Headteachers reported finding it increasingly difficult to meet special needs. They considered that in the absence of adequate resources and in response to increasing public accountability in the form of published examination results and school inspections, often they had no choice other than to exclude a pupil. Respondents in the support services were of the view that schools were less tolerant of misbehaviour.

- The over-representation of African-Caribbean boys in exclusions from schools is also linked to levels of tolerance within schools and there is a tendency to , suggesting that as schools' tolerance levels tighten they are more likely to exclude the *victims* of racism rather than to address the issue itself.

Children's homes managers, a community relations officer and respondents within the Education Department described incidences of racism which schools failed to address, underpinning the exclusion of African-Caribbean boys.

- exclusion is particularly serious in the case of children accommodated by the local authority (formerly 'in care'); being excluded can present the opportunity for a pattern of offending to develop.

Social Services team managers and advisory teachers described the adverse effect of exclusion on the home situation, which can lead to youngsters being accommodated. Children's home unit managers and Social Services team managers all described patterns of offending that they had experienced developing in the case of excluded young people in local authority accommodation.

- alternative schooling, where this is available, for excluded pupils is often inadequate.

Respondents within the Social Services complained of the inadequacy of provision afforded children found to be troublesome. Respondents within the Education Department support services recognised that part time teaching often continued for unacceptably long periods.

The conclusions drawn from the empirical evidence throw an important light on recent Government policy which claimed to ensure increased choice of a diversity of schools and improved standards of education, the evidence suggests that for many pupils Government reforms have resulted in educational deprivation.

## 10.2 The efficacy of market mechanisms: Standards, Choice, Diversity and Competition

The efficacy of Conservative reform needs to be assessed not just in relation to excluded groups, nor simply in relation to those who have benefited from the best schooling, but in terms of the benefit or otherwise to the state system as a whole. Chapter Two identified dominant Conservative policy discourses, presenting a reform agenda which at the end of their term in office poses certain basic questions.

- i) Has the standard of education improved?
- ii) Is there greater choice?
- iii) Is diversity of provision beneficial?
- iv) Is competition a good and fair thing?

i) The Conservative Government promised to improve the standard of education for all children (DfE 1992). Improved SATs and/or GCSE results have been given as evidence of an overall improvement in the standard of education nationally, but these figures exclude the educational experience of young people who are not in school, described by respondents in this study. They are in a sense truly excluded, becoming invisible. The thesis argues that gains that have been made in one sector of schooling have been offset by losses in other quarters. The improvements in the standard of state schooling have not been across the board, it would seem that the beneficial effect of reform has favoured the conforming white, English, middle classes. The research has shown how disadvantaged social groups have been excluded.

ii) Similarly, as Ball (1993) has argued in respect of 'choice', education markets can be exploited by the middle classes as a strategy of reproduction in their search for relative advantage, social mobility and advancement. Conversely, the research presented here shows that the extent of real choice available to less advantaged groups has been restricted as schools can in effect 'de-select' certain pupils. This echoes the conclusion of Jones (1989):

'For every parent who seizes the opportunity of 'choice', there will be many others whose children suffer' Jones (p.185).

iii) While there is greater diversity of educational provision, the research supports the argument that market mechanisms serve to differentiate the education system according to traditional Conservative values. Places are allotted in accord with the 'desert based' (Gewirtz et al 1995) conception of the equitable distribution of resources. The research has shown that those 'proved' to be less deserving can be catered for in newly authorised part-time units, or left with no schooling at all for unacceptable periods of time.

iv) Market forces have been harnessed to drive a restorationist agenda, with competition serving both as a control mechanism (there are real penalties for 'losing'), and as a legitimisation device (the free market is unprincipled, hence fair to all). The ideology of competitive market forces legitimises the pursuit of self interest by parents and by schools whose culture and values accord with beliefs underpinning Conservative policy. The question that needs to be asked is whether or not the archetypal education system aspired to is one which would benefit the population as a whole.

A strongly held view among the key professionals interviewed for this study was that this competitive system was failing to meet the needs of all, a view typified in the comment of an Advisory Teacher for the Social Services interviewed in December 1995:

'Its quite worrying, we're making an underclass of children who haven't access to any education other than that to which they're not suited. The degree of alienation in many secondary schools is really quite frightening'.

She went on to say that in her experience the shape of the developing school system was not meeting the needs 'of a great many, if not the *great majority* of pupils'.

The thesis concurs with this view, on the basis of the evidence presented here it argues that the educational reforms put in place by the Conservative government have *not* improved the standard of education for all children; neither have they empowered all parents or carers with greater choice of schools. Rather, by generating a

marginalised sector of pupils, which can be recognised as at risk of exclusion by social class attributes this policy disadvantages the most vulnerable social group (as described in Chapter Six).

### **10.3 Exclusions and the 'desert-based' accessing of resources**

Engaging with the debate on the equitable distribution of resources the thesis takes the case of excluded pupils to

ask:

1. Should resources be deployed to benefit those deemed most deserving?
2. How far should the inclusion of behaviourally disturbed children be prioritised in relation to the educational needs of their peers?

Hayden (1995) argues that denying a child of education is 'one of the most serious things you can do' (p.1), Ofsted (1996) likened the results of exclusion from school to having a criminal record. The research described here found that depriving youngsters of schooling could result in the need for the intervention of other agencies, such as the Social Services Department or Youth Justice. Parson's research for the CRE (1993) argued that it is simply not cost effective, both in human and financial terms, to exclude troublesome children from the mainstream of education.

Yet school exclusions have continued to rise. Newly released Government figures (DFEE Statistical Press notice 451/98), given by the Times Education Supplement on 11.12.98, acknowledge almost thirteen thousand permanent exclusions. The respondents interviewed here describe a pattern of increased exclusion which Chapter Four has shown to be nationally replicated, the thesis has attempted to understand the reasons for this phenomenon. It shows the practical application of a policy which whilst favouring those that can be recognised as deserving of the investment of scarce resources, actively disadvantages others deemed to be undeserving by denying them education. The thesis argues that it is of no relevance whether children are considered to be deserving or otherwise, they must be afforded a satisfactory education. Chapter Nine has shown the consequences of unchecked school exclusions, or of assigning troublesome children grudging or barely adequate provision, - findings which recent research published by the National Association for the Care and Resettlement of Offenders confirm (1998).

Whilst meeting the needs of such pupils may seem expensive, my research shows that the practical reality is that an academically competitive system generates more disaffected pupils, and failing to educate them appropriately is far more expensive for society.

The research argues that a 'desert based' conception of the distribution of educational resources, which is legitimised by promising that the elite schools are open to all, is socially undesirable, and supports this view by showing the growth of a marginalised class; it argues that the promise that all can aspire to positions of advantage is untrue. Children's home managers and headteachers interviewed here revealed the attitudes and expectations underlying schools' approval or rejection of pupils, showing that being deemed 'deserving' is fundamentally a class-biased, culturally based concept which promotes the reproduction of existing social power and exacerbates social divisions.

#### **10.4 Optimum social benefit: segregation or social mixing?**

##### **i) Selection and social differentiation**

The research has shown the forces in play in the exclusion of pupils from schools, relating decisions made by headteachers and reports on the attitudes of schools given by respondents in the Social Services and Education Department support services to developments in national education policy. It has shown how factors inherent in policy directives shape the practical responses of schools in rejecting certain pupils. The research presents evidence to support the argument that approval or rejection of pupils has a social class and/or racial group dimension.

Ozga and Gewirtz (1994) develop a historically based Marxist argument in respect of the significance of theoretically analysed research commenting,

'we believed that insufficient attention has been paid to the deep structures of English education, and to the sedimented patterns of differentiation which so characterise English provision. And we felt that insufficient attention was being paid to analysis of the role of the state in education' (p.126).

They draw on Simon (1988) and Johnson (1989), who emphasise the centrality of power and control, and they cite Johnson's view that 'differentiation is the hallmark of English education', and as the education system reinvents itself the 'preoccupation of policy makers (is) with maintaining the principle.. of hierarchies' (p.126). This conclusion would seem to be justified because even after several decades of the promotion of comprehensive education, profound social and educational divisions were still apparent.

In a market economy the most visible evidence of social control is 'buying power', consumption being a key identifying characteristic of class; consequently basing institutional state apparatus on quasi-market mechanisms, on 'consumer' control, ensures the reproduction of class advantage. Gewirtz Ball and Bowe (1995) demonstrate how choosing a school place, is 'closely tied to a sense of locale and community', within which framework reproduction is defined and constrained (p.50). They show how parents select schools on a class-related basis, engaging in what is in effect a matching process, confirming social stratification. Respondents have shown how *schools reject pupils in a related way*, children who are educationally or socially disadvantaged; children with special educational needs, children from ethnic minorities, children 'looked after' by the local authority.

Three reports, reviewed by the Times Educational Supplement, in April 1997 just prior to the general election, highlighted what was seen as the divisive results of Conservative education policy. The first report describing 'Two nations under the Tories' was a review of Britain Divided (1997), research by the Child Poverty Action Group. This research showed what it described as a dramatic gap in reading ages in different schools, 'as intakes have polarised between predominantly middle-class and deprived children'. Expecting to find that overall standards had risen Dr.Hunter-Grundin found there had been no improvement, this she described as 'astonishing'; the results showed instead an increasing performance gap between middle-class schools and those where there were high levels of deprivation among the pupils. She put this down to the 'marked increase in segregation of different socio-economic groups, with parental choice and selection of pupils concentrating middle-class children in a smaller number of schools'; she argued that the research disproves the theory that selective education raises standards (Young and Budge TES 25.4.97 front page). This research also confirmed that education funding does not always match social need, for example in 1996-97 Harrow had a higher educational needs score - identifying it as having seemingly more needy children - than Barnsley, and Westminster more than Birmingham or Liverpool; it seems

even in the area of special needs the class biased deployment of power structured by the market in terms of accessing resources, is apparent.

The second article reported on a study by Ian McCallum, former principal research officer at the London Research Centre, which showed that social class is linked to attainment, finding (perhaps not surprisingly), that poverty affects performance at school. The study questioned the value of pillorying 'failing' authorities, which the research showed, prove to be those with more socially deprived areas ( Dean TES 18.4.97). Earlier the same month the Catholic Education Service published research on secondary schools in urban poverty areas, which criticised selection and 'warns against the legacy of a divided society' (Pyke TES 11.4.97).

On the eve of a general election the widespread publicity given such findings served to undermine the legitimacy of Conservative policy, contributing to a growing disillusion with the divisive effects of market forces in education.

## **ii) Social class mixing and the welfare principle**

Had the Conservative Government been returned for a further term in office, it would have implemented the plans for formal selection, which it detailed in the White Paper Self-Government for Schools (DfEE 1996). It was intended that schools would be able to select (and reject) a percentage of their intake dependent upon their position in the hierarchical system; (with Grant Maintained schools being able to apply formal selection to a higher percentage of its cohort than Local Authority schools), revealing the nature of the value-laden deployment of power invested in the policies of the Conservative Government.

The justification for 'desert-led' accessing of educational provision is that it maximises ability and hence is socially beneficial. The research presented here questions the validity of this assumption as it shows the effects of a policy that has generated growing marginalisation, providing evidence that illustrates how schools' responses to troublesome pupils further disadvantage and offer the opportunity for a pattern of offending to develop; the findings are that Conservative education policy in this respect has been socially disadvantageous.



Robertson and Symons (1996) evaluate the effects of social policy in relation to peer group mixing, advocating that in seeking social improvement attention should be focused more on admission policies than on the targeting of resources to schools; (the thesis takes the admission of certain pupils and exclusion of others as inter-related). Presenting evidence to show that while 'mixing is contrary to the interests of the most articulate and influential elements of the community', it is the form of schooling that provides the greatest benefit to society (op cit p.228). 'Mixing is the welfare maximum', but 'the choices of parents in pursuit of the best for their children leads ineluctably towards segregation, the welfare minimum' (p.229). Hence Robertson and Symons argue that choice and diversity driven by a competitive market system has been a bad thing for the country. The electorate expressed its views on the first of May 1997.

#### **10.5 The future: The Education Act 1997**

Robertson and Symons (op cit) conclude that 'if we are to get the most from our education system, we must find a way of desegregating schools' (p.229). In a climate of developing awareness of increasing school selectivity, the Conservative Government was unable to carry through into legislation plans for formal selective admission procedures. The Education Act 1996 draws together much of the legislation passed by the Conservative Government into one Act and furthers arrangements for the establishment of grant maintained schools. However, the last education act passed by the Conservative Government has more significant implications for school discipline and for excluded pupils.

Firstly, the time limits established initially by the Education Act 1993 (Sect.261), are amended to allow for greater flexibility in the annual allocation of permissible exclusion days; rather than limiting the number of days to 15 in any one term, there is now provision for '45 school days in any one year' (EA 97 Sect.6). Which extends the amount of time that pupils can be put out of school in one fixed-term exclusion, considerably; (up to two and a half months). In some cases this flexibility could be abused, and no doubt there will be cases where given an extended period without proper schooling, longer term truancy develops. However, realistically, it gives Headteachers

greater control in managing and in attempting to meet the needs of pupils with challenging behaviour. Much of the response to these conditions will be dependent upon the prevailing climate in schools under the new Government.

More worrying is Section 11 of the Act, which stipulates that where a child has been permanently excluded from two or more schools, another school is not obliged to admit him; thus, for the first time in law *identifying a group of school aged children as disqualified from the entitlement to a school place*, and further strengthening the trend in regarding 'education otherwise than at school' as far more than interim provision. Chapter Nine has shown what can happen to children who are offered part-time education for a prolonged period.

There is provision also in the Act for 'home-school partnership documents' which precondition admission, requiring a parent sign stating that they agree with 'the school's aims and values' and acknowledging and accepting the 'parental responsibilities' specified in the partnership document, which they are 'expected to discharge in connection with the education of their children while they are registered pupils at the school'. Should the parent fail to comply with these conditions, the school place 'may be cancelled' (Education Act 1997 Sect.13). Thus the Act makes it more difficult to secure a school place and enables the school to withdraw this should the *parent* fail to satisfy requirements, a far cry from the days when parents were put under obligation to send their children to school, but very much in keeping with the thoughts expressed by Sir Keith Joseph (Chapter Three) and in line with the ideology of a good education being for the 'deserving'.

Intending to be 'tough on discipline', the act re-emphasises the obligations in respect of school discipline placed upon the Governing body and the Headteacher by the Education (No 2) Act 1986; authorising for the first time in educational legislation, the power to physically restrain pupils who are 'committing an offence', 'causing personal injury to, or damage to the property of, any person (including the pupil himself)', or 'engaging in any behaviour prejudicial to the maintenance of good order and discipline' (EA 97 Sect.4). In the wake of the Children Act 1989 staff in residential schools and in children's homes had become aware of the possibility of child protection procedures being initiated should they physically restrain a child; there developed a climate in many Social Services children's homes of avoiding physical restraint as far as possible, which in certain homes had a disastrous effect. While restoring the balance in favour of good management of pupil behaviour, the Act goes further than many

anticipated and it remains to be seen how schools will interpret 'the maintenance of good order'. Although drafted with mainstream schools foremostly in mind, the independent residential EBD sector receives pupils whose behaviour requires skilled handling; the Act could be considered to sanction the use of physical and possibly abusive means of control, in circumstances where staffing skills or staffing levels are less adequate.

The Education Act 1997 also allows for the detention of pupils after school 'despite absence of parental consent' (Sect.5). Again this provision will be welcomed by schools attempting to effectively manage the behaviour of troublesome pupils, but is a power that will need to be exercised reasonably if it is not to damage relationships with certain parents. Perhaps most welcome in respect of the children who are the focus of this study is the requirement that LEAs publish their plan for providing advice and resources to relevant schools in order to support such schools in dealing with behavioural problems and for providing 'education otherwise' (Education Act 1997 Sect.9); the Act also makes provision for the inspection of LEAs (Sect.38). Thankfully the plans for formal selection were not included in the Act, the effectiveness of which remains to be seen, but which will be intrinsically related to the prevailing climate in schools created by the new Government.

## **10.6 Conclusion**

### **i) A 'non-exclusion' policy.**

Given the findings of the research described in this thesis, (summarised at the start of this chapter), what sort of policy response would address the problem of increasing exclusion? I suggest a 'non-exclusion' policy, by which the school retains key responsibility for co-ordinating provision to meet the educational needs of pupils it finds difficult to teach in full size classes. Every child would have a place on a school roll and although for (authorised) periods of time they may not attend the school, this puts the child in a stronger position in respect of reintegration, which in practice proves difficult once a child is seen as an excluded pupil. Only by being accepted on the roll of another school, would a child be removed from roll. Expulsion should not form part of the disciplinary sanction

procedures of a school; but removal from school should be a recourse in the event of the need to protect the safety of the pupils, of staff, or in the case of behaviour which has a serious effect on the good order of the school. This should not be incompatible with considering the educational needs of the troublesome pupil, although recognising that desirable full-time interim provision for pupils who cannot attend a school at certain times, is scarce. Just as the Social Services Department cannot abdicate responsibility for children with greatest social need, so too the Education Department should ensure that schools cannot abdicate responsibility for children with significant educational needs, leaving them without schooling; the severity of educational problems should not be a factor that precludes schooling. The school should be the link professional agency which acts on behalf of the child in securing alternative provision.

Whilst such a policy, properly structured in legislation, would go a long way to address the problem of increased school exclusions, the real remedy lies in the Government led development of an education policy which is fundamentally inclusive in nature, rather than exclusive. This would mean changing the mechanisms described in the earlier chapters which prompt schools to exclude and changing the incentive system as it applies to schools.

## **ii) The meaning of exclusion: the policy process and social disempowerment**

This thesis has looked at the development and practical effects of an education policy that has affirmed existing class order and in doing so has generated a marginalised population. In a democratic state the populace must regard the general direction of Government policy as legitimate in order for that Government to retain control. The need for Government to reinvent new forms of legitimation is argued by Habermas (1975), or put in Ball's terms there is a need to establish and maintain legitimate policy discourse (Ball 1994). A key legitimating factor embedded in state policy is that it empowers citizens through participation, so in directly examining those whom policy has disempowered, the excluded, this thesis is questioning the legitimacy of that policy. The case of pupil exclusion shows that a growing number of pupils (and therefore the parents who represent them), are being actively marginalised, and so a policy which is legitimised by a discourse based on citizen participation is open to challenge.

The experience of 'key professionals' involved in pupil exclusions tends to confirm the fact that market mechanisms structured in legislation, have fulfilled a restorationist agenda by tending to empower conforming cultural groups or classes and correspondingly tending to disempower non-conforming classes. The commodification of education (Blyth and Milner 1996), has assisted those with cultural capital to acquire the most sought after schooling whilst those without the recognised means, values and lifestyle, are more likely to have to accept what is left. However, evidence presented here suggests that the practical effects of this policy process are misrepresented under the banner of 'choice and diversity' and improving standards for all, when this is not in fact the case. If the standard of education has indeed risen for certain sectors of the population, it has fallen for others, and this is undesirable, being incompatible with maximising potential and with equality of educational opportunity. Their conclusion is shared by Gewirtz, Ball and Bowe (1995) who believe that 'choice is a dangerous irrelevance' (p.190). Choice, whilst serving the purpose of legitimising policy and thus preventing public rejection and retaining hegemony, is in itself a means of perpetuating and indeed exacerbating social class differentials. It both justifies and facilitates advantage in a particular class structure.

The case of rising numbers of excluded pupils in the 1990's gives credence to the view of many analysts of recent educational policy: that quasi-market mechanisms 'drive' recognised failure as well as recognised success. The process of disempowerment of marginalised classes generates a sub-class and not only are 'pupils with problems' a market product, so too are 'failing schools'. These casualties are not an inadvertent by-product of the market system, but 'failure' itself is an integral 'shaping' mechanism, part of the differentiation necessary to achieve an education system which supports existing class hierarchies. 'Failure' is a means as well as a market product.

The full meaning of school exclusion therefore lies in understanding the process of marginalisation in a citizen participatory democracy, and how this process is invested in the implementation of policy. Studying Conservative Government policy in relation to the excluded or the educationally dispossessed, shows the nature and means of disempowerment in relation to those whom the policy process empowers, the socially and culturally favoured, enabling a fuller understanding of the social consequences of this policy.

The stark conclusion of this research into the process and experience of exclusion as perceived by professionals employed by the agencies involved, is that exclusion is an inherent necessity in the policy process, ensuring the effective functioning of the institutions of state. Inclusivity has to be consciously sought, if this is deemed to be a desirable feature. While participation invested in recent Government policy has for a sector of the population been very real, it has been participation upon a continuum, the research given here shows the extent of participation permitted non-conforming groups, i.e. those whose attitudes and modes of behaviour are considered undesirable by power holders.

The thesis has argued that the devolution of power to the populace is proportionately related to degrees of conformity and espousal of approved values and cultural modes. As these cultural values are social class based, those classes or groups whose values fail to conform with those of the power holders or whose behaviour challenges established order are actively disempowered. The full consequences of this are not beneficial to the state, therefore there is a need for a policy whose practical implementation is invested with considered inclusive values, is necessary to counteract the divisive aspects of quasi-market forces. Such a policy would be founded on the principle of inclusion.

The New Labour Government which took up office in May 1997 espouses the principle of inclusion, voiced in the white paper Excellence for Schools and the green paper Excellence for All Children (DFEE 1997, 1998). Indeed the establishment of the Social Exclusion Unit would seem to directly challenge the marginalisation invested in policy which this thesis has commented upon. However the statutory framework which structures the responses of schools, described here, the incentive structure (public perceptions, league tables, Ofsted inspections), remains largely unchanged. It remains to be seen if schools responses to troublesome pupils will change.

In December 1998, more than eighteen months into the new government, the Times Educational Supplement led from their front page, an edition focused on exclusion (TES 11.12.98).

**TABLE NINE**

The DFEE had just released the following exclusion figures:

School Years	1996/97	1995/96	1994/95
<b>Secondary</b>	<b>10,463</b>	<b>10,344</b>	<b>9,197</b>
<b>Primary</b>	<b>1,657</b>	<b>1,608</b>	<b>1,365</b>
<b>Special</b>	<b>632</b>	<b>524</b>	<b>522</b>
Pupils excluded			
<b>With statements</b>	<b>1.10%</b>		
<b>Without statements</b>	<b>0.14%</b>		

Confirming the findings reported in Chapter Seven here, which identifies those most at risk of exclusion, the Times Educational Supplement reported that 'Blacks (sic) are 15 times more likely to be excluded' in some authorities and overall Black children were four times more likely to be excluded than whites (front page). They reported that boys were more likely to be excluded than girls and that pupils with special needs were at particularly high risk of exclusion.

10,500 boys were excluded in 1996/1997, compared with 1,600 girls  
Exclusion among pupils with SEN statements was 1.11% compared with 0.17% of all pupils.

The Times Educational Supplement also cited a newly published report from the New Policy Institute (1998) which found that nearly two thirds of pupils permanently excluded from secondary schools never return to mainstream schooling. The same edition of the TES included a review of Wasted Lives published by the National Association for the Care and Resettlement of Offenders (NACRO 1998), research which found that almost 95% of young men serving time in young offender institutions have been expelled from school or were long term non-attenders. Claiming to establish a clear link between exclusion and crime the report concluded that 'spending between £4,500 and £7,000 a year would reduce school exclusion and help youngsters into work... This could save £75,000 a year by preventing one youngster becoming a persistent offender.' (TES 11.12.98 p.2). In its editorial leader this edition of the TES describes these reports as 'deeply disturbing' and states that 'Recent figures show that exclusion is often the first step in a life of crime' (p.18). Commenting on its front page the editorial pointed out that 'these broad figures may owe as much to social class as to racism. Nearly everywhere working-class children are excluded more frequently than those from middle-class families.' (TES op cit). The research published

by the New Policy Institute highlighted a four fold increase in permanent exclusions from English secondary schools since the start of the decade, (an increase which DFEE figures above and those given on page 66 here confirm). In conclusion the TES editorial asks, pertinently, 'what lies behind these alarming figures?'

I conclude therefore that there is no evidence at this stage of any significant change in the practical responses of schools to the exhortation to be more inclusive, although certainly there appears to be general acknowledgement of the terrible effects of being excluded from school on the future lives of tens of thousands of children each year (NACRO 1998, Social Exclusion Unit 1998). As Hayden (1995) states, 'Denying a child education is probably one of the most serious things you can do', she cites the United Nations Convention on the Rights of the child 1991 in which it is stated that 'Every child has the right to free education ....' (p.1). The research presented here has a commitment, not to social or political factions but to educational entitlement. In order to safeguard the education of those identified here as vulnerable, there needs to be an understanding of the effect of market reforms in education as a precursor for change in policy. The above reports reviewed by the Times Educational Supplement at the end of 1998 fail to reassure. Only when reports stop publishing increased exclusion figures and stop asking what they mean, can we begin to address exclusion. In order to tackle the problem of exclusions from school a fundamental understanding of the meaning of marginalisation in the policy process is necessary.

'Some policies may be deployed in the context of practice to displace or marginalise...'  
(Troyna cited in Ball 1994 p.20).

The study presented here endeavours to contribute to that understanding.



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## **APPENDIX 1a**

### **INTERVIEW SCHEDULE FOR UNIT MANAGERS IN RESIDENTIAL CHILDREN'S HOMES**

1a Do you consider that the young people in residence spend any more or any less time in the unit, during school hours, than was the case a few years ago?

1b What evidence do you have of this?

1c How many are attending school on a regular basis?

1d What educational provision are those not attending school regularly receiving?

2 What support do schools offer those not attending or excluded?

3 Are you experiencing more or less difficulty in re-introducing young people into mainstream schools than was previously the case?

4 Has the nature of your client group changed in any way over the past year(s)?

5 Has the above had any effect on the day to day running of the home?

6 Should a young person be out of school, what in your experience are the possible consequences?

7 How do you see things developing in the future?

8 Any other points?

## **APPENDIX 1b**

### **INTERVIEW SCHEDULE FOR BEHAVIOUR SUPPORT SERVICE**

#### **Question 1**

- a) How has the change to Behaviour Support Service affected you?
- b) How has the centre's method of working changed?
- c) How much time do staff spend in mainstream schools?

#### **Question 2**

- a) What has been the reception of mainstream schools to the changes?

#### **Question 3**

- a) How do mainstream schools refer pupils to the service?
- b) Is there any greater or less pressure for referrals?
- c) Could you explain this?

#### **Question 4**

- a) Has your pupil group changed in nature in any way?
- b) How many pupils do you have on your books here and could you give their educational status.

#### **Question 5**

- a) How many of these pupils are being re-integrated?
- b) What are the factors which affect integration?
- c) How long do pupils spend in centre provision?
- d) What sort of timetable is offered within the centre?
- e) Where do pupils go once they have left?

#### **Question 6**

- a) How do you think schools view BSS?
- b) What kind of service do you think schools really want?
- c) What do you think will be the main factors in the future?

## **APPENDIX 1c**

### **INTERVIEW SCHEDULE FOR MAINSTREAM HEADTEACHERS**

1 Do you find meeting special educational needs any easier or any more difficult than you used to?

1a Please give the reasons for this.

2 Do you think schools exclude more or fewer children than they used to?

2a Why do you think this is the case?

3 Do any factors external to the school affect this?

4 Is the support provided by external agencies adequate?

5 Has your behaviour/discipline policy changed in any way over the last few years?

6 Are there any groups of pupils you consider more 'at risk' of being excluded than others?

7 How do you see future developments?



## APPENDIX TWO

**Statemented children excluded from special schools, being looked after by the Social Services Department on the books of the Education Support Service on the 19.12.93, without an alternative school.**

(Source: Case files)

### ***Excluded unofficially***

C.L from H special school July 93  
N.F from U special school Nov 93  
(Head stated no return)  
K.H from U special school March 93  
(Head stated no return)  
D.T from U special school April 93  
(Head stated no return)  
B.H from U special school Sept 93  
(Head stated no return)  
D.C from out-of-city school Jan 93  
S.M from HH special school March 92  
(Head stated no return)  
and excluded officially from L special school June 92  
and excluded officially from U.CHE April 93  
N.W excluded unofficially from L special school March 93  
(Head stated no return)  
D..J unofficially excluded U special school April 93  
(Head stated no return)  
This is the child cited in Chapter Six

### ***Excluded officially***

S.F excluded from SO special school  
(date of exclusion not given)  
D.C excluded from S special school  
(date of exclusion not given)

**Pupils given as recently excluded from special schools attending the U Community Home with Education  
1993 - 1994**

### ***Excluded unofficially***

D.F from L special school  
C.F from HH special school  
M.W from U special school  
J.P from HH special school  
N.W from L special school

Statemented pupils excluded from mainstream

J.P officially  
D.C officially

**18 statemented pupils in total without a special school place, known to the Social Services Education  
Support Service at the end of December 1993  
30.1.99**